

SLAYING, ATTACK TRIAL DATE FIXED

Negro Accused In Greensboro

Case Will Go Before Bar

On Jan. 11

GREENSBORO, Ala. — Trial of Grady Tubbs, Negro, charged with murder and rape in connection with the fatal attack on Horace Nash and Mrs. Golda Lyles last month, yesterday was set for Jan. 11, in Hale County Court.

Tubbs pleaded not guilty by reason of insanity when he was arraigned before Judge John Miller yesterday while a detail of 40 highway patrolmen stood guard for the Negro's safety.

Judge Miller appointed W. R. Withers and G. E. Sledge to defend the Negro.

Tubbs was brought here yesterday under heavy guard from Jefferson County Jail, but little public interest was shown at his arraignment. The detail of highway patrolmen took the defendant to Kilby Prison after the arraignment.

Nashville was fatally shot and Mrs. Lyles was criminally attacked and slain by a Negro who surprised them while they sat in a parked car near here last month.

NEGRO IS GUARDED IN ATTACK TRIAL

40 State Officers Stand By As
Insanity Is Pleaded

GREENSBORO, Ala., Jan. 4.—A detail of 40 state patrolmen stood guard for his safety yesterday as Grady Tubbs, Negro, entered a plea of not guilty by reason of insanity at arraignment or charges he fatally killed Horace Nash and Mrs. Zulie Lyles and attacked the woman.

Trial of two charges of murder and one of rape was set by Judge John Miller in Hale County court for Jan. 11.

Judge Miller appointed G. E. Sledge and W. R. Withers to defend the Negro.

Little public interest was shown in the arraignment, after which Tubbs was taken by the patrolmen to Kilby Prison, Montgomery. He was brought here under heavy guard Wednesday morning from the Jefferson County Jail, Birmingham.

Greensboro Negro Pleads Not Guilty

Forty Patrolmen Guard
Accused Attacker

GREENSBORO, Ala., Jan. 4.—A detail of 40 State patrolmen stood guard for his safety today as Grady Tubbs, negro, entered a plea of not guilty by reason of insanity at arraignment on charges he fatally wounded Horace Nash and Mrs. Zulie Lyles and attacked the woman.

Trial on two charges of murder and one of criminal assault was set by Judge John Miller in Hale Circuit Court for January 11.

Judge Miller appointed G. E. Sledge and W. R. Withers to defend the negro.

Little public interest was shown in the arraignment, after which Tubbs was taken by the patrolmen to Kilby Prison, Montgomery. He was brought here under heavy guard this morning from Jefferson County Jail, Birmingham.

TUBBS CONVICTED IN DOUBLE DEATH

Sentenced To Die In Nash,
Lyles Slayings

GREENSBORO, Ala.—(AP)—Death in Alabama's electric chair was decreed early today for Grady Tubbs, Hale County Negro, in the killing of Horace Nash and Mrs. Zulie Lyles, and an alleged attack on the woman.

A detail of 50 state patrolmen, who stood guard at the trial as a precaution, spirited Tubbs to Kilby Prison, Montgomery.

Nash and Mrs. Lyles were found beside separate rural roads near here on a night early in December.

The Negro was brought here from Kilby under heavy guard yesterday morning, and a jury was selected last night.

Circuit Judge John Miller denied a venue request after state and county officers and Greensboro citizens testified there was no indication mob action would be tried.

The state charged Tubbs attacked and shot Mrs. Lyles after mortally wounding Nash. The Negro had been held at Birmingham and Montgomery since his arrest, for safekeeping.

After the plea for a change of venue was presented, Solicitor Joe James called to the stand Highway Patrol Capt. Potter Smith, Sheriff Calvin Hollis and leading Greensboro citizens to testify Tubbs could receive a fair trial here.

Tubbs pleaded not guilty by reason of insanity.

NEGRO SENTENCED TO DIE IN CHAIR

L. C. Berry Second Convicted
In Killing Montgomery,
High School Youth

Two Negroes today were under sentence to die in the electric chair for the fatal shooting Sept. 20, 1937 of Ben Montgomery, Woodlawn High School athlete, after a jury in Judge J. Russell McAdory's court imposed the death penalty on L. C. Perry, alias Bell, 19.

The jury deliberated two hours and 45 minutes. A death sentence was returned Tuesday night in the case of Joe Vernon, 28, Negro boxer who fought under the name of "Little Joe Louis."

In the Berry case, evidence was virtually the same as that in the Vernon case and Assistant Solicitors Greys Tate and Robert E. McAdory Jr., also demanded the death penalty. Berry, like Vernon, admitted he made a confession he was implicated in the crime, but testified the statement was obtained from him after he was beaten. Officers, however, denied the accusation and doctors who examined the Negro asserted they found no marks of such punishment on his body.

Two previous "confessions" in the Montgomery case were stressed by the defense Tuesday. One was made by a Negro, Willie Myers, alias "Mississippi," who was discharged when his case came up for arraignment. The other confession reportedly was made by a narcotics addict in Louisiana.

Bell and Vernon, the state contended, killed Montgomery when they visited the filling station in Woodlawn, where Montgomery was a part-time employee, and had planned to rob him.

CHAIR IS DECREED FOR PAIR'S SLAYER

Grady Tubbs Rushed To Kilby
Following Verdict

GREENSBORO, Ala., Jan. 12.—A Hale County jury early this morning decreed death for Grady Tubbs, 21-year-old Negro accused of killing Horace Nash and Mrs. Zulie Lyles, boro citizens to testify Tubbs could receive a fair trial here.

The state charged Tubbs assaulted and shot Mrs. Lyles after fatally wounding Nash, bridge construction foreman.

Fifty state highway patrolmen who stood guard in a packed courtroom during the trial, hastened Tubbs back to Kilby Prison after the verdict. The trial ran past midnight. A jury was selected Wednesday night after denial of a defense plea for change of venue.

Tubbs had pleaded not guilty by reason of insanity.

Tubbs Sentenced To Die In Chair

GREENSBORO, Ala., Jan. 12.—A Hale County jury early today decreed death in Alabama's electric chair for Grady Tubbs, 21-year-old negro accused of killing Horace Nash and Mrs. Zulie Lyles near here last December. Execution was set for March 3.

The State charged Tubbs raped and shot Mrs. Lyles after fatally wounding Nash, bridge construction foreman.

Fifty State Highway Patrolmen, who stood guard in a packed courtroom during the trial, hastened Tubbs back to Kilby Prison at Montgomery after the verdict. A jury was selected last night after denial of a defense plea for a change of venue.

Tubbs had pleaded not guilty by reason of insanity.

Reducing Homicides

Too much praise cannot be heaped on Birmingham's police department and minor criminal courts for the successful attempts that have been made to reduce this city's murder rate.

Starting early in 1937 the police department began a serious attempt to tackle the homicide problem at its roots—by investigating fully and prosecuting assault and battery and other violence cases among white people and among Negroes.

Judge Henry Martin and Judge H. B. Abernethy joined the crusade and coupled stiff fines and sometimes jail sentences to persons involved in violence cases.

All too often the police and courts in Southern cities are prone to be too lax with Negro defendants charged with assault and battery on other Negroes. The police and the courts in Birmingham have been too tolerant with Negroes involved in violence cases with other Negroes. It was an old Southern custom, but one that was unfair to both the white and Negro populations.

Negro leaders especially commended the new departure in police court justice in 1937. They knew, perhaps even better than law enforcement officers, that vigorous prosecution of violence among Negroes would have

a healthy effect. Judge Martin and Judge Abernethy adopted policies of fining persons involved in fights the full amount of the hospital bill at the public infirmaries. This served the double purpose of making the guilty pay the expenses and to discourage further violence.

An all-Negro jury in Birmingham would be harder on Negro defendants involved in an all-Negro case than would a white jury. But the misplaced tolerance of white juries has been lessened by the police department's crusade.

Many Crimes Confessed By Grady Tubbs

Hale County Negro With
2 Murders Against
Him Talks

Grady Tubbs, Hale County negro, under sentence of death for the double slaying of a man and woman near Greensboro last December, which he admitted, has made a voluntary additional confession to another murder, an attempted killing, three robberies, three attempted criminal assaults on white women, and three others planned but frustrated—according to announcement yesterday at the office of Chief Weller Smith of the State Highway Patrol.

Coupled with the announcement, Patrol Captain Potter Smith made public the text of a confession he said Tubbs made during the forenoon yesterday in his cell at Kilby Prison, in the presence of Circuit Solicitor Joseph James of Greensboro; R. K. Green, widely known Hale County planter and former State WPA director, whose wife was one of the objects of the attempted assaults; Highway Patrolman Sergeant T. J. Carisle, Patrol Officer Meredith, and others.

In the Green case, in which Tubbs is alleged to have said he was the attempted assailant, another negro, Bee Jones who was threatened for a time by an angry mob following his arrest as the perpetrator now serving a penitentiary sentence of 10 years imposed for his conviction. If doubt as to the guilt of Jones, created by Tubbs' confession, is determined to be strong enough, it is understood the solicitor and trial judge will recommend to Gov. Dixon that a

Temporary parole be granted Jones pending investigation, with a pardon to follow if his innocence is indicated beyond a reasonable doubt.

"Wanted to Talk"

Capt. Smith said several days ago, Warden Jack Lindsey of Kilby, called him on the telephone and telling him Tubbs wanted "to talk," suggested that he come to the prison himself or send one or more other officers to Kilby to take the negro's statement. The patrol captain sent Sergt. Carlisle and another patrolman, to whom the condemned man made a partial statement, he said, confessing several other crimes. Capt. Smith immediately informed Solicitor James, who came to Montgomery yesterday, accompanied by Mr. Green and others who were present with Warden Lindsey and the two highway patrolmen when Tubbs made his extended and complete confession.

Solicitor James was quoted as saying on his return from Kilby, that the confession had cleared up a number of unsolved crimes in Hale County, and that Tubbs' statements regarding the Green case, closely coincided with all the facts and circumstances disclosed by investigation by officers and evidence introduced at the trial of Jones whom Tubbs has declared innocent of the crime.

Traces Criminal Career

In the statement by Tubbs made public yesterday at highway patrol headquarters, the negro was quoted as saying his criminal career started at a negro crap game during which he shot at one negro and killed another, though about two weeks to a month prior to that he had shot at someone passing through a lumber yard. According to the confession, he lay in wait for Cecil Cothran, Jr., one night when he took a young woman home, and after Cothran left the house he knocked him in the head and robbed him of \$2 and his pocket-book.

Some time later, he is said to have stated, he went to the home of a prominent family in Greensboro, knocked on the door and when the head of the family's young daughter answered the knock he told her that her father was down the street sick, his motive in trying to get her away from her home being criminal assault.

The night before the attempted attacking of Mrs. Green, the confession statement set out, Tubbs stole a shotgun and some shells from the home of a Mr. Ross. He told of hiding in a flower garden at a house where Mrs. Green was a guest, waiting there until she came out, crawling unseen into the rear of her car as she got in the front, and then covering her with a pistol and telling her to drive on; also how her cries for help caused him to flee, and how he had gotten the stolen shotgun and shells from the place he had hidden them, on his way home—saying the reason the dogs used by officers did not follow him was that they "struck the wrong trail."

Hit With Lantern

Tubbs told further, it was said, of going to the home of another prominent Greensboro family after night-

fall, and entering the house. Several women of the family fled screaming, he was quoted as saying, and he chased one of them from room to room, until a brother of one of the women arrived, then he ran out of the house, and was struck by the brother with a lantern as he rushed past him on the stairway.

According to the confession statement, Tubbs related all details of his attempted assault of Mrs. Alex Waller when she surprised him in the act of robbing her home, and of hitting her in the head with a pistol. Earlier that night, he was quoted as saying he went to a nearby house with a paper bag he had blown up and tried to gain entrance by telling the wife of the owner of the place that he was a delivery boy from a neighborhood grocery store, but she refused to open the door saying she had not ordered any groceries.

He told also, it was said, of going one night to a home on the outskirts of Greensboro where a widow lived with her step-children, his intention being to assault one of the daughters, but after lurking around for a while, became frightened, and left.

The victims and the double murder near Greensboro last December were Mrs. Zulia Lyles and Horace Nash. Tubbs was indicted for the murder of both, and also criminal assault of Mrs. Lyles. He subsequently confessed to the killings but denied the assault. In his confession yesterday it was said, he admitted assaulting the woman before killing her.

Birmingham Ala. Age Herald

January 25, 1939

POLICE POLICY CUTS HOMICIDES

Ardent Prosecution Of Assault Cases Given As Behind Decline

No longer the "homicide capital of the nation," Birmingham can attribute its removal from the head of the list to a rarely publicized policy adopted by the Detective Department in the Fall of 1936.

The policy itself is simple yet it was effective enough to reduce homicides in the two full years of its operation from 86 in 1937 to 77 in 1938.

Prior to Fall, 1936, little or no investigation was made into the numerous cases of assaults and batteries and assaults with deadly weapons among Negroes. For that matter, police officials said, there was comparatively little investigation to murders among Negroes. "Judging the Negroes was high," grew up among the s. police relate, a feeling of

immunity from justice and as that feeling spread Birmingham leaped to the top of the list and earned for itself the title "murder capital."

At that time, following a conference between Detective Chief E. L. Hollums and former Detective Chief G. C. Giles, it was decided to post two detectives at the Hillman Hospital to investigate all cases of violence among both white and Negroes, including simple fights and to prosecute them.

Not only that, but all patrolmen were instructed to investigate and prosecute any violence cases brought to their attention on their beats.

Detective E. W. Jackson, of the homicide squad, reported recently that there were 77 homicides in 1938 and 58 persons arrested in connection with them. However, there were six arrests made for murders committed in 1937, bringing the total arrested on murder charges during 1938 to 64. In 1937 Detective Jackson reported, there were 86 homicides with 64 arrests.

Detective Jackson listed homicides for 1938 as: January, 8; February, 6; March, 14; April, 2; May, 8; June, 1; July, 6; August, 4; September, 6; October, 7; November, 5; and December, 10.

Detective Jackson listed the homicides for 1937 by month as: January, 1; February, 6; March, 8; April, 8; May, 6; June, 7; July, 10; August, 10; September, 9; October, 6; November, 6; and December, 9.

Birmingham Ala. Age Herald

January 12, 1939

NEGRO GETS CHAIR IN STUDENT DEATH

L. C. Berry, alias Bell, 19-year-old Negro, charged with murder in the fatal shooting of Ben Montgomery, Woodlawn High School athlete, was found guilty by a jury in Circuit Judge J. Russell McElroy's court Wednesday night and sentenced to die in the electric chair. The jury deliberated two hours and 45 minutes.

Evidence in the case was much the same as that presented Tuesday in the case of Joe Vernon, Negro, 28, who was sentenced by a jury to die in the electric chair for his part in the crime. Assistant Solicitors Greye Tate and Robert E. McAdory, Jr., also demanded the death penalty for Berry.

Berry, like Vernon, admitted he had confessed he was implicated in the crime, but testified the statement was obtained from him only after he had been beaten. Officers, however, denied the accusation and doctors who examined the Negroes said they found no marks of such punishment on his body.

The defense Wednesday stressed the two previous "confessions" in the case. One was made by a Negro, Willie Myers, alias "Mississippi," who was discharged when his case came up for arraignment. The other confession reportedly was made by a narcotic addict in Louisiana.

The state contends Montgomery was killed when Bell and Vernon,

planning a robbery, visited the filling station in Woodlawn, where he was employed as a part-time worker, on Sept. 20, 1937.

White Farmer Slain**At Home Of Negro**

SELMA, Ala., Feb. 2.—(Special)—Stanton Olds, 42-year-old farmer of near Browns, Ala., was stabbed to death at midnight Wednesday while he was at supper in home of Matthias C. Mosley, Chief Deputy Johnnie Mosley declared today.

In addition to being stabbed, Olds was kicked in the face several times. The Dallas County deputy asserted.

Anna Potts and Viola Potts, negro women, were arrested Thursday morning and are being held on charges of murder. Other negroes, Robert Potts and Eleanor Patton, are being sought in connection with the crime, Mr. Mosley said.

NEGRO IS JAILED IN OLD SLAYING

ENTERPRISE, Ala.—A four-year-old murder mystery apparently has been solved, according to Sheriff John D. Stewart, with the arrest of Buster Waters, alias Hardie Lee Waters, Enterprise Negro, at Pittsburgh, Pa.

Waters is held in Pittsburgh for the slaying of Jim Glover, Dale County farmer, who was struck on the head with a piece of broken pavement one night in November of 1935. The slayer is said to have escaped disguised in woman's clothing.

Sheriff Stewart said he had been informed by Pittsburgh authorities that the Negro had confessed to the killing. He was traced, the sheriff said, through a photograph mailed by Waters to a Negro woman here.

PROTECTION FOR NEGRO IS SOUGHT

HARRISBURG, Pa.—(P)—Pennsylvania authorities sought "assurance" from Gov. Dixon, of Alabama, today that a 22-year-old Negro wanted on a murder charge in the Southern state would be protected from "mob violence" if he battle between Hall and the four negroes in which one of the latter was killed by the conductor before he was himself mortally wounded, followed the attempted holdup robbery of Hall, and that the surviving accomplices of Wimbush testified at their trials that all four had entered into a plot of rob Hall.

John M. Wanner, deputy attorney general in charge of extraditions, said the Negro, Hardie Lee Waters, was indicted in the killing of J. H. Glover at Enterprise, Ala.

Wanner said the Department of Justice had asked Gov. Dixon for assurance that Waters would be kept in a state penitentiary until time for the trial and that he would be guarded.

Wanner explained he had received communications from Negro organizations throughout the South protesting the extradition. One en-

closed a list of 307 purported lynchings which an organization said had taken place in Alabama since 1889.

Montgomery Ala. Advertiser
March 11, 1939

State Denies Clemency To Two Negroes

Board Must Weigh Fate Of Couple More Also Slated To Die

Unanimously refusing to recommend clemency for two of four condemned negroes whose pleas for commutation of sentence were heard during the forenoon by Gov. Dixon and the State Board of Pardons, Pardon Board members still had under consideration last night the cases of the other two.

The four whose executions in the electric chair at Kilby Prison are set for early Friday morning, are Joe Lee Kennedy, Edward Wimbush, George Ivory and Grady Adams. All were convicted of first degree murder. Clemency petitions of Kennedy and Wimbush have already been denied by the Board of Pardons. Action in the cases of Ivory and Adams is expected to be announced today.

Kennedy was convicted of shooting another negro, Leo Johnson, in the back and killing him, as Johnson sat at a game of cards with several companions. Kennedy claimed at the hearing yesterday that Johnson had previously threatened his life.

Wimbush was found guilty of the murder of Joe Lee Hall, Birmingham street car conductor. In support of his clemency petition he said he and three other negroes "got into an

argument" with the street car man who began shooting at them with a pistol and that he shot Hall in self defense. Evidence for the State, however, was to the effect that the gun battle between Hall and the four negroes in which one of the latter was killed by the conductor before he was himself mortally wounded, followed the attempted holdup robbery of Hall, and that the surviving accomplices of Wimbush testified at their trials that all four had entered into a plot of rob Hall.

George Ivory was convicted in Mobile County, of shooting and killing Beatrice Reese, negro woman, following an argument between the two that was the climax of a party. Insisting he was too drunk to know what he was doing at the time, Ivory said yesterday he had no recollection of the fatal shooting or anything else that occurred on the night of the

killing.

Grady Adams was tried and convicted in the Pike Circuit Court, for the murder of Ella Landers, negro woman, in a fight. The evidence was that the woman attacked him with a stick near the gate to the front yard of his home; that he went into his house and got a .22 calibre rifle and returning refused to let the woman come into his yard, and that the fatal shooting followed. Adams claimed that the woman seized the rifle and while they scuffled for its possession it was accidentally discharged, wounding her fatally.

SLAYER OF HALL AND ANOTHER DIE

Jefferson County Negroes Electrocuted In Kilby

Two Jefferson County Negroes paid with their lives in the electric chair at Kilby Prison early this morning. Edward Wimbush for the fatal shooting of Conductor J. O. Hall during an attempted robbery on a crowded Pratt-Ensley street car on March 13, 1938, and Joe Lee Kennedy for the fatal shooting of another Negro, Leo Johnson.

Wimbush was the first of three Negroes who have received death sentences in the Hall slaying to die and he was the first to be executed this morning. The switch was thrown at 12:12 a.m. and he was pronounced dead three minutes later. Kennedy went to the chair at 12:25 and was pronounced dead four minutes later.

Both Wimbush and Kennedy were accorded hearings before the State Pardons Board and Gov. Dixon last Monday and in each instance, the board unanimously declined to recommend commutation. The governor subsequently ordered that the executions take place as scheduled. Each condemned man declined to make any statement before he was executed.

The other Negroes scheduled to die for the Hall slaying are David McGuire and Harvey Lee Gilmore.

NEGROES JAILED IN TORCH DEATH

Pair Ignited Clothing Of Companion, Charge

TUSCALOOSA, Ala.—(P)—Sheriff J. Foster King said a Negro prisoner had implicated two other Negroes with charges they burned alive Burton Clements, 23-year-old Negro, by tossing a half gallon of gasoline upon him and setting his clothing afire.

The victim was found Monday two miles from the Samanth community in rural Tuscaloosa County. Lorenzy Gay, 27, in a statement made late yesterday, accused Anderson Ellis, 68, and Willie Pres Prewitt, 40, of the slaying, the sheriff said. Gay is also charged with murder.

Gay's statement claimed he and Clements had been drinking and had argued with the other two Sunday night. He said the pair left but returned with gasoline and poured it down Clements' back while the latter was sitting on a log in a drunken stupor. Gay claimed he tried to rescue the man but could not. He said he left the Negro victim "kicking as he burned on the ground."

Gadsden, Ala., Times
March 18, 1939

AN ARROGANT DEMAND

THE affrontery of certain Pennsylvania officials is amazing. A deputy attorney general by the name of John W. Wanner informs Governor Dixon that he must have an "assurance" that a 22-year-old negro wanted in this state for murder will be protected from "mob violence" before the negro will be returned to Alabama to stand trial. The Pennsylvania authorities, goaded on by a number of negro organizations, inform the governor of Alabama that they want the negro kept in a state penitentiary until time for trial and they insist that he be especially guarded.

The arrogance of Pennsylvania is suffocating. Alabama would not demand special protection from mobs for any prisoner, white or black, which it held for Pennsylvania authorities—and yet Pennsylvania has no better record than Alabama on the score of mob violence. There were no lynchings in Pennsylvania last year. There were no lynchings in Alabama last year. The record of Pennsylvania, despite its holier-than-thou attitude, is no better than that of Alabama. It may be no worse, but certainly it is no better.

Mr. Wanner and his cohorts make strange demands of Alabama. We demand to know why they don't beat their wives with sticks instead of bed-slats.

Dothan, Ala. Eagle
May 12, 1939

NOT QUITE

A Negro suspected of killing a white man in Enterprise was arrested several weeks ago in Pittsburgh. The Governor of Pennsylvania would not issue extradition papers unless he was assured the Negro would be given every protection before and during the trial.

Well, no extra precaution was taken for it was unnecessary, and Tuesday he was convicted of the murder and sentenced to life imprisonment. He wasn't lynched. He wasn't given the death penalty.

We down here in Southeast Alabama might wonder if this climax will also be headlined in the Pittsburgh papers—but we aren't quite that dumb.

To Death; Mob Threat Feared If Victims Freed

BIRMINGHAM, Jan. 27 (ANP)—A new "Scottsboro case" looms in Alabama with the sentencing to death in the electric chair last week of Joe Vernon, 19, and L. C. Smith, 25, for the robbery murder of Ben Montgomery, white gasoline service station attendant, after the prosecutor invoked mob law in his plea to the jury.

The white youth was slain two years ago. Vernon and Smith were not arrested until recent weeks. Police jailed them at that time on charges of robbing hobo camps. Detectives said they were "surprised" when the pair voluntarily signed confessions admitting the murder of Montgomery. To prove that the prisoners had not been in any way molested, the state put two doctors on the witness stand who testified neither youth showed any evidence of having been mistreated.

But according to Vernon and Smith themselves, the confessions had been obtained only after severe beatings. One of the youths told the court two teeth had been knocked from his mouth by a railroad detective. Both said they had been threatened with drowning at the city water works unless they signed the confession. Smith exhibited a blood covered polo shirt he had concealed in his cells, and several blotches remained on his trousers.

Miss Cora Thompson, white, chief defense attorney, told the jury that in all her 18 years of practice she had not known of a case where confessions had been obtained without beatings and threats.

"All detectives deny beating prisoners," she pointed out, and ridiculed the railroad detective for spending so much time working on a case in which he had no special interest.

But when Assistant Solicitor Grey Tate addressed the jury before a crowded courtroom of white and colored spectators, he based his most stirring plea on the racial angle.

"If the jury in this case had passed either of these boys the night of the murder, you would have taken the law in your own hand and killed them," he told them.

"If the widow of the slain white boy fails to see justice done in this case, she should take the law in her own hand. Society must exact

the death penalty from these defendants and their kind."

The defense announced immediately afterward they would appeal

GUN BATTLE STAGED AT ZION CITY

Woman In Auto Wounded

As Bullets Showered

From Roadside

ASSAILANT, TRAILED
MILE, SURRENDERS

City And County Officers

And Motorcycle Race

Crowd Stage Chase,

A running gun battle between law enforcement officers and a Negro armed with a rifle took place at Zion City, one mile north of East Lake, early Sunday afternoon after Mrs. Vivian Rogers, 28, of 8312 Eighth Avenue, North, had been shot one time in the right arm by the Negro.

The Negro, who gave his name as Demelius Wood, of Zion City, shot at several other people near a church in the Zion City community before arrival of city policemen, deputy sheriffs and highway patrolmen.

The Negro was shot twice in the right thigh with pistols in the hands of the officers after he had fired several shots at the officers as they pursued him for about one mile through a heavily wooded section. He was placed in the county jail after his capture, in which hundreds of people attending a nearby motorcycle hill climbing event took part, following closely behind the officers.

Auto Fired Upon

According to Toll Rogers, brother-in-law of the wounded woman, an automobile containing Mrs. Rogers, her husband, Herbert Rogers; Miss Christine Bean, Toll Rogers and a young daughter of the Rogers had rounded a curve in front of

the church when the Negro stepped from behind the building with a rifle.

Without saying anything, Rogers declared, the Negro opened fire on the car, hitting Mrs. Rogers in the right arm. Her husband yelled at the Negro, Rogers said, and the Negro in turn fired twice more at the car, none of the bullets taking effect.

Harold Burdett, 1533 East Lake Boulevard, and Sam Allen, 1601 Wharton Avenue, Tarrant City, who were connected with the motorcycle event, said the Negro then turned and fired two shots at them. Allen said he ran for a telephone to notify police and while he was away, according to Burdett, the Negro fired again at him and started to walk off into the woods.

Officers At Scene

Highway Patrolmen R. O. Goodson and L. E. Curtis and Deputy Sheriff A. A. Wood were the first to arrive on the scene and start in pursuit of the Negro. City Police Officers B. C. Coggins, J. C. Ballard, F. B. Ellzey and A. C. Sowell also arrived shortly after to join the pursuit. E. H. Schwantes, county officer, also took part in the chase.

The Negro started up a long hill walking slowly with the law enforcement officers spread out on every side. Shots were exchanged constantly, and two of the bullets struck the Negro in the right thigh. Several minutes later he surrendered to the officers in the presence of his wife. Deputy Wood said warrants charging the Negro with assault with intent to murder would be sworn out Monday.

Mrs. Rogers, who was treated by a private physician, was not wounded seriously, the doctor reported. Deputy Wood said the Negro apparently had been drinking.

NAACP Lawyers
Act Quickly To
Halt Extradition

1-21-39

CHICAGO—(ANP)—Quick legal action on the part of Atty. William A. Booker, and Attorney James G. Lemm Jr., acting for the Chicago branch of NAACP prevented the extradition of Wayne Robinson last week to Pritchard, Alabama. Officials of the Mobile branch of the association notified the Chicago branch that efforts were being made to apprehend Robinson for a murder of a white woman committed October 3, 1935, in Mobile county. Investigation by the Chicago branch revealed that Robinson had been picked up by Officers Boyle and Anderson of the detective bureau on Jan. 9.

Every legal means was used to prevent the immediate transfer of Robinson to Alabama and NAACP counsel laid all of the grounds to insure Robinson full protection under the law. Ira Wilders, white, who was supposed to be one of the eyewitnesses to the murder, came to Chicago after several long distance conversations with the officials of Pritchard, and as feeling was running high in Pritchard both Chicago and Pritchard authorities yielded to the demands that the identification of Robinson be unquestionably established.

In view of the fact that Robinson had brothers who closely resembled him and one brother had almost identical scars, the use of photographs could have easily resulted in the return of Wayne Robinson to Alabama, despite the fact that he has been a resident of Chicago for years and was not in Alabama at the time of the murder.

When the Alabama eyewitness mailed to clearly and positively identify Wayne Robinson at the county jail last Tuesday, the preparations for further legal action were abandoned by the NAACP attorneys and Robinson was released.

NEGRO SOUGHT IN TRAIN SLAYING

White Man, Believed Officer,
Is Killed By Hobo

MOBILE, Ala.—An unidentified

white man, about 30 years old, lay dead at Bay Minette today; officers sought the Negro who killed him on a freight train three miles north of Brewton, and a young white man was held in jail at Brewton as a witness.

Sheriff Otis R. Emmons, of Escambia County, said the man held at Brewton, whose name he did not divulge, told this story: He and the Negro were among hoboes on a southbound freight train yesterday afternoon. The Negro told him he recognized the man now dead as "a officer." The Negro advanced on the man he called "officer" and shot him. The man fell to the floor of the car.

Sheriff Emmons said the young man now held at Brewton told him the man now dead wore a badge, carried a railroad pass, and told him he was an officer seeking to apprehend a fugitive. After the shooting the young white man jumped from the train near Brewton, and the Negro, also jumping, ran into the woods bordering the railroad tracks. Efforts to track the Negro with bloodhounds proved futile, and it was believed he caught another freight train also headed south out of Brewton toward Mobile.

At a Bay Minette mortuary, undertakers found a letter, addressed to J. C. Boutwell, on the body. The man had been shot twice.

State Highway Patrolmen Whitby and Faile said in Mobile they knew a Charlie Boutwell, who formerly was in charge of city prisoners at the Montgomery County Jail, and they said descriptions given them from Bay Minette tallied with that of Boutwell. They said he lost his job about two months ago.

L. D. Owens, Bay Minette undertaker, said there was also an identification of the slain man as J. W. Lucas, of Montgomery. Identification was made by Lucas' brother in Montgomery by a telephone description, he said.

There was also some speculation that the dead man might be J. L. Moseley, a former State Convict Department agent.

Negro Slays White Man In His Home

Gets Wife's Purse

**Three Seized As Suspects
And Brought Here For
Questioning By Officers**

After an extended grilling last night at the Montgomery County Jail of three negro suspects arrested in connection with the murder Saturday evening in the living room of his home near Tallassee, of Charlie Herren, 60, widely known and prominent planter, Chief Deputy Sheriff W. A. Austin said that in Tom Williams, one of the trio, he believed he had the killer. Interrogation of the suspects by Mr. Austin, Circuit Court Solicitor Winston Huddleston, and other officers, was to be completed some time last night or early today.

Mr. Herren was shot and mortally wounded in the presence of his wife, who stood only a few feet away, by a masked negro prowler, who entered the room where they sat listening to a radio program, at about 8:30 p.m. and a quarter east of Tallassee. According to accounts of what occurred, as told to officers and other by Mrs. Herren who last night, in state of collapse, was being cared for at the home of relatives, the living-room door was suddenly thrust partly open and a broom wedged against it, the figure of a man appearing in the aperture with a shotgun in his hands. Meanwhile, a doctor and an ambulance had left for the residence, by which has been the family home of the Herrens since it was built in 1851, stands on a high hill about a mile and a quarter east of Tallassee. En route to the hospital at Wetumpka, the stricken man was said to have been attended to by his wife who sat by his side, "I have no enemies. I don't understand it."

At the hospital, surgeons in a desperate effort to save Mr. Herren's life, amputated his left arm. He failed yesterday, however, and died at 3 a.m. his death, it was understood, being primarily due to loss of blood.

Simultaneously, Mrs. Herren was stood, being primarily due to loss of blood and shock. His health, it was quoted as saying, the man pointed the gun at her husband and announced said, had not been good for some time. "this is a holdup." It was her belief, Officers quickly took up the search it was said, that her husband did not for the unknown marauder, and trail understand what had been said, and dogs were brought to the scene. In did not see the gun at first, as he rose the first preliminary search of the from the rocking chair in which he premises, a rusty, single-barrel shot- had been sitting. Almost immediate-gun was found in a ditch less than a ly, however, he saw the weapon and hundred yards from the front of the cried out "don't shoot." The reply was home. In it was a recently fired a blast from the shotgun, the charge cartridge. Opinion was unanimous it tearing into his left shoulder. was the murder weapon.

Some time later, near a trail of

Slayer Gets Purse

He remained standing as the man freshly-made tracks leading away from with the gun growled at Mrs. Austin the house and across a field, investi- that he wanted money. She replied gators found Mrs. Herren's purse, still

she had none, and he repeated the threat with growing menace in tone, adding, "If you don't you'll get the same thing." Her frightened suddenly falling on her purse that lay on the mantelpiece, she picked up and threw it at him. Seizing it, the negro, turned and fled.

The moment she threw the purse through some marshy ground, and to he rushed to the side of her wound—a foot-log across a small creek. There ed husband as his legs buckled at the were no marks of fresh tracks on the knees and he slumped backward into little-used footlog, but one dog crossed his chair, then fell face forward on it, the others floundering through the floor. She did not know when the water to the opposite bank. murderous assailant left, she said, but **Dogs Pick up Trail**

murderous assailant left, she said, but she did know that he was a negro and that he wore a mask. Raising herthe animals again picked up the husband's head to her lap, she wastrail, and followed it to a negro sec- quoted as saying, she saw the desper-tion on the outskirts of Tallassee, ate condition of his wound; that he where Tom Williams was arrested. was unconscious and, she believed, The two other suspects, Louis Williams dying or dead. not related to Tom, and Elbert Lewis.

An aged woman and a man who were taken into custody later, Tom lived in the rear of the home, the Williams had been working in a latter a cripple, had heard the roar Tallassee cotton mill. The other Wil- of the gunshot and hurried to her as- liams and Lewis are farm workers, sistance. Leaving Mr. Herren long Lewis being a tenant on the Herren enough to direct the cripple to go to plantation.

the house of another negro and have him go for a doctor, she found on herof the planter spread through the return that her husband had regained countryside, public indignation and

consciousness. When she saw he had feeling became intense and wide-
revived somewhat, she decided to speed spread; and when it became known
the arrival of medical assistance by officers had arrested three negroes in
going for a doctor herself, and get connection with the crime, groups of
ting into her car drove at top speed men assembled until finally, in be-
tween 25 and 30 automobiles, they set

Arriving there she reported what had happened to Chief of Police L. B. Meadows and Deputy Sheriff George D. Davis stationed at Tallassee. They communicated with Mrs. W. A. Austin, Sheriff of Elmore, who with Chief and Deputy Austin and Deputies L. Holley and H. Hornsby, left immediately for the Herren home.

Meanwhile, a doctor and an em- locked their prisoners up in the jail here in the late forenoon.

Meanwhile, a doctor and an ambulance had left for the residence, which has been the family home of the Herrens since it was built in 1851, and stands on a high hill about a mile and a quarter east of Tallassee. En route to the hospital at Wetumpka, the stricken man was said to have stated to his wife who sat by his side, "I have no enemies. I don't understand it."

At the hospital, surgeons in a desperate effort to save Mr. Herren's life amputated his left arm. He failed to rally, however, and died at 3 a.m. yesterday, his death, it was understood, being primarily due to loss of blood and shock. His health it was

blood and shock. His health, it was said, had not been good for some time.

Officers quickly took up the search for the unknown marauder, and trail dogs were brought to the scene. In the first preliminary search of the premises, a rusty, single-barrel shotgun was found in a ditch less than a hundred yards from the front of the home. In it was a recently fired cartridge. Opinion was unanimous it was the murder weapon.

Other Evidence

Furthermore, a pair of wet and muddy shoes found in Tom Williams's house, fitted exactly into the tracks leading away from the Herren home beside which Mrs. Herren's purse with the money gone was picked up, and which the trail dogs had followed to the section where Tom Williams was arrested. Not only that, he said, but the wet and muddy shoes which

Some time later, near a trail of freshly-made tracks leading away from the house and across a field, investigators found Mrs. Herren's purse, still on.

Deputy Austin said also it had been learned Tom Williams owed considerable money he was unable to pay. From another source it was reported Mr. Herren recently sold some timber

Mr. Herren recently sold some timber for a considerable sum, and it was thought the masked prowler believed he had the money in his home and went there to rob him of it.

In addition to his widow, Mr. Herren is survived by three brothers, J. M. Herren, A. P. Herren and Dan Herren; also two sisters, Mrs. Mary Hayes and Mrs. Nancy Holloway, all

of Tallahassee. Funeral services will be held at 10 a.m. today at the Tallahassee Methodist Church of which Mr. Herren was a member. The Rev. George W. Kerlin, pastor, assisted by the Rev. C. Cunningham pastor of the Baptist Church, will officiate. Burial will be in Rose Hill Cemetery, Tallahassee.

TWO HELD ON CHARGE OF MURDER

Confession Is Reported

In Shotgun Death Of Newt Garrison

ROBBERY MOTIVE BY PAIR CLAIMED

Victim Disappears On Warrior Fishing Trip, Wife Reveals

BESSEMER, Ala., Feb. 19—The finding of a body in the river close to a fishing camp near here early Sunday morning, cleared up the mystery surrounding the disappearance of a Birmingham man and resulted in the arrest of two Negroes on murder and robbery charges.

The body of a man identified by Bessemer deputies as Newt Garrison, 24, of 2209 North Sixteenth Street, Birmingham, was found about 7:30 a.m. Sunday in the Warrior River at Adams' Camp, about 33 miles west of here, near Lock 17.

Two Negroes docketed as Freeman Brooks, 37, Adger Route 1, and David Williams, 24, of the same address, were said by Bessemer deputies to have confessed the dobery.

and murder of Garrison.

Pair Arrested

Chief Deputy Clyde Morris said he received a call from Garrison's relatives Saturday morning that the man had been missing since last Wednesday when he went to the camp on a fishing trip. Morris said he went to the camp to investigate and placed the two Negroes under arrest after questioning them.

The chief deputy said the Negroes were brought to the County Jail at Bessemer and, under questioning, confessed that they had robbed and slain Garrison late Wednesday afternoon. The Negroes admitted, according to Morris, that they had loaded a shotgun with slugs, shot Garrison in the head and robbed him of about \$100. The chief deputy quoted them as saying they threw the body of the dead man in the river and took his automobile.

Search Started
Morris said he went to the camp early Sunday morning, accompanied by Deputies Carl Jones, W. W. Kilpatrick, Officer George Stevens, Deputy Coroner T. J. McCollum and R. B. Ragsdale, special investigator for the solicitor's office, and started a search for the body at the place the Negroes had pointed out.

The chief deputy said the body was found immediately after the search was begun. There were gunshot wounds in the head and on the left side of the face, Morris said.

About \$60 was found on the Negroes at the time of their arrest, Morris said. They were placed in the Bessemer County Jail, charged with robbery and murder in the first degree.

Fishing Trip Planned

Mrs. Viola Garrison, wife of the dead man, said her husband had left the home last Wednesday saying he was going on a fishing trip to the river.

She said she became alarmed when he did not return after two days and called the Bessemer authorities, asking them to investigate. This investigation resulted in the finding of the body and the arrest of the Negroes.

Surviving, besides Mrs. Garrison, are two step-children, Newt and Juanita Manley; his father, John T. Garrison, Gintown; three brothers, Wylie Garrison, Mulga; Dewey Garrison, Bayview; Otis Garrison, Adamsville; four sisters, Miss Elizabeth Garrison, Gintown; Mrs. Rose Vincent, Alden; Mrs. Mary Peebles, Sandusky and Mrs. Minnie Woodward, Adamsville.

Funeral services will be held at 2 p.m. Monday at Bell's Funeral home in Crumley's Chapel. Burial will be in Union Grove Cemetery.

The body of a man identified by Bessemer deputies as Newt Garrison, 24, of 2209 North Sixteenth Street, Birmingham, was found about 7:30 a.m. Sunday in the Warrior River at Adams' Camp, about 33 miles west of here, near Lock 17.

Two Negroes docketed as Freeman Brooks, 37, Adger Route 1, and David Williams, 24, of the same address, were said by Bessemer deputies to have confessed the robbery.

Dallas Negro Gets 25-Year Sentence

SELMA, ALA., Feb. 24.—(Special)—A Circuit Court jury in the case of Elnora Potts, second of four negroes charged with the death of Stanton Olds, 42-year-old white farmer, Thursday night, returned a verdict of 25 years in the penitentiary.

Viola Potts, first to be tried, was given a life sentence by a jury Wednesday night. Trial of Robert and Annabelle Potts, jointly indicted with the two women, was postponed Friday to the next term of court by Judge John Miller, presiding over the week's session of criminal cases. The four Potts negroes are alleged to have killed Olds while the latter was attending a chicken supper at their house near Brown's Station.

Solicitors and defense attorney T. G. Gayle in the case of Booker Trent, negro, agreed to three years for Trent, following a trial Friday morning. The negro was jointly indicted with Frank Harris, CCC camp enrollee here, for the murder of another negro in the Section Valley community several weeks ago.

Judge Miller dismissed jurors at noon Friday after a jury had been struck in the case of the Harris negro, who is charged with assault with intent to murder. The jury is made up of J. E. Elliott, Emmett Hewston, Reginald Hain, R. T. Elder, Harry Dundon, William A. Friday, William Reedy, William Shelby, James Dunning, Murrow Cosby, R. H. Blanton and D. L. Walker.

Judge Miller will call a special session of Circuit Court for Dallas County prior to the regular May term, to dispose of a number of cases which were carried over from the current session.

Viola Potts, Negro, Gets Life Penalty

SELMA, ALA., Feb. 23.—(Special)—Trial of Elnora Potts, second of four negroes facing murder charges in Circuit Court for the death of Stanton Olds, white farmer, opened court here Thursday morning.

A jury in the case of Viola Potts, first tried, returned a verdict of guilty and recommended life sentence for the delivery route served by Sellers Barwoman. The verdict returned about 8:30 p.m. Wednesday would have been "the chair" had it not been pointed out that Olds was at the negro's about 7 a.m., but seeing no sign of house, where a crowd participated in Kapps. Venable later said, he knocked a chicken supper, when the tragedy occurred.

Robert and Annabelle Potts, jointly indicted with the two women, will probably be tried Friday.

A jury struck Thursday for the Elnora Potts case is composed of the following: Leonard Buffington, Eugene Johnston, R. T. Elder, Harry Dundon, Walter Pitts, Leon Rowan, Murrow Cosby, R. H. Blanton, Herbert Saunderson, William Parr, J. E. Calloway and John Cross.

J. Randolph Smith is defense attorney for the four negroes.

The case of George Coon, charged with theft of a watch from the Y. M. C. A., and that of Harry Suggs, charged with larceny, have been continued to the next term of court. Both are young white Selma youths.

Pair Of Negroes Held As White Man's Slayers

BESSEMER, ALA., Feb. 19.—(P)—Deputy sheriff Clyde Morris said today two negroes were being held at county jail in connection with the death of a white man identified as Newt Garrison, Birmingham.

Morris said two negroes docketed as Freeman Brooks and David Williams of the Bessemer area had admitted firing a shotgun charge into Garrison's head before robbing him of \$100 and his automobile and throwing his body into Warrior River. Garrison was at a fishing camp when he was slain, the deputy said, and officers investigated at request of his family when he failed to return home.

Man, 70, Shot In His Store By Negro Thug

Opelika Shopkeeper Is Found Helpless With Both Legs Paralyzed

OPELIKA, ALA., March 6.—(Special)—Shot through the chest Saturday night by an unidentified negro maulrauder, R. W. Kapps, 70, was discovered early this morning, lying helpless, the lower part of his body paralyzed, in the room occupied as living quarters at the rear of the small grocery store he operates on East Street.

He was found by a representative of The Montgomery Advertiser, C. C. Venable, who was checking up on a delivery route served by Sellers Barwoman, negro boy, who accompanied him. Finding the front door of the store "the chair" had it not been pointed out that Olds was at the negro's about 7 a.m., but seeing no sign of house, where a crowd participated in Kapps. Venable later said, he knocked a chicken supper, when the tragedy occurred.

His knock was answered by a weak response to "come in," he said, and entering he found Kapps stretched on the floor, bleeding from the wound in his chest. Kapps was fully conscious, he said, and when he hurried to him and asked what had happened he told him a negro shot him in the store and he had run back in the small room to get a pistol, but had collapsed on the floor where he had lain all night, unable to move or summon aid.

Kapps told him, Venable said, during the interval that elapsed before arrival of the ambulance he had summoned from the Opelika Infirmary, that he did not know the name of the negro who shot him, but that he had frequently traded at his store, and gave a detailed description of his assailant who, it was found, had looted the place of an undetermined amount of cash and the entire stock of cigarets and cigars.

A widower, Kapps lived alone. Just across the street, however, a son-in-law, A. M. Payne, resides with his family. The storekeeper told him, Venable said, that he talked with his son-in-law in the store at about 10 p.m. Saturday, for a short time, when Payne left to go to his home, and had just about had time to get there, when the negro entered and shot him.

As soon as the shooting was reported to him, Sheriff Jess Lynch and his deputies began an organized search for the negro, but up to late tonight no arrests had been made.

First reports were that Kapps had been shot in the neck, but Chief of Police J. I. Heath said later he had been advised by hospital attaches that the wound was through the chest, and that the bullet, fired from a pistol, had apparently lodged in or struck the spine. The condition of the wounded man was reported as critical.

Opelika Grocer Dies; Police Seek Negro

OPELIKA, ALA., March 7.—(Special)—R. W. Kapps, 70, well known grocer, died this afternoon in a local hospital, a gunshot wound received Saturday night attempting to frustrate a robbery of his store.

A negro, listed as John Hagland is sought, charged with the crime. Before dying, Mr. Kapps identified the negro.

Mr. Capps was discovered early Sunday morning by a Montgomery Advertiser representative checking his paper route. He was in a semi-conscious condition, paralyzed by a single wound from a pistol.

Funeral for Mr. Capps will be held tomorrow at 2:30 p.m. from the Antioch Church and burial in the adjoining cemetery. Surviving are three sons and one daughter, all of Opelika.

Negro Is Shot At Swimming Hole; Gunman Hunted

An old-fashioned swimming hole in a field near Eighth Avenue and Thirty-Fourth Street, North, was suddenly converted into a target range today, when one Negro was shot, the lives of four others endangered, by a man they described as "a gun-totin' white man." James Johnson, 16, of 2116 Eighth Alley, North, was shot in the left

arm shortly after he had been told "to keep away" from the swimming hole by three white men. He said several shots were fired at his companions before he was shot.

Police were searching for the alleged "gun-toter."

Birmingham, Ala. News
June 26, 1939

TWO KILLED IN NEGRO AFFRAYS

Violence among the Birmingham Negro population over the weekend left two persons dead, two persons in jail in connection with one case, one being sought and another in jail after he surrendered at the sheriff's office for the shooting of another Negro last week at Birminghamport.

Roosevelt Boswell, 732 First Avenue, Riley Station, Powderly, was shot to death by a high-powered rifle early Sunday morning when he was reported to have attempted entrance to the home of another Negro, Jim Walker, 55, of 1301 South Bessemer Road. Walker and Albert Craig, 31, of Riley Station, were placed in County Jail on murder charges.

Horace Stubbs, Negro, of 126 Avenue D, West, was shot and killed shortly after midnight Sunday by another Negro at a "honkey-tonk" at Sixth Avenue and First Street, North. Detective A. J. Bryant investigated.

Willie Roberson, 32, Negro, surrendered at the sheriff's office yesterday after being sought all last week in connection with the shooting of Lizzie Kimbrough, Negro, at Birminghamport. He was transferred to Bessemer Jail.

Another 'Scottsboro' Case Looms In Birmingham, Ala.

1-25-39

BIRMINGHAM—(ANP)—A new "Scottsboro case" looms in Alabama with the sentencing to death in the electric chair last week of Joe Vernon, 19, and L. C. Smith, 25, for the robbery murder of Ben Montgomery, white gasoline service station attendant, after the prosecutor invoked mob law in his plea to the jury.

The white youth was slain two years ago. Vernon and Smith were not arrested until recent weeks. Police jailed them at that time on charges of robbing hobo camps. Detectives said they were "surprised" when the pair "voluntarily signed confessions admitting the murder of Montgomery." To prove that the prisoners had not been in any way molested, the state put two doctors on the witness stand who testified neither youth showed any evidence of having been mistreated.

But according to Vernon and Smith themselves, the confessions had been obtained only after severe beatings. One of the youths told the court two teeth had been knocked from his mouth by a railroad detective. Both said they had been threatened with drowning at the city water works unless they signed the confession. Smith exhibited a blood covered polo shirt he had concealed in his cell, and several blotches remained on his trousers.

Miss Cora Thompson, white, chief defense attorney, told the jury that in all her 18 years of practice she had not known of a case where confessions had been obtained without beatings and threats.

"All detectives deny beating prisoners," she pointed out, and ridiculed the railroad detective for spending so much time working on a case in which he had special interest.

But when Assistant Solicitor Grey Tate addressed the jury before a crowded courtroom of white and colored spectators, he based his most stirring plea on the racial angle.

"If the jury in this case had passed either of these boys the night of the murder, you would have taken the law in your own hand and killed them," he told them.

"If the widow of the slain white boy fails to see justice done in this case, she should take the law in her own hand. Society must exact the death penalty from these defendants and their kind."

The defense announced immediately afterward they would appeal.

Alabama Man Gets New Trial: Black Reads Decision

2-28-39

WASHINGTON—The United States Supreme Court Monday set aside the conviction of Hugh Pierre, of Locy, Alabama, under sentence to hang for murder.

Pierre contended his conviction was unconstitutional because Negroes were excluded from the grand jury which indicted him.

The Supreme Court action permits a new trial.

The Alabama man was convicted of killing Ignace Roussel, a constable, who sought to arrest him in 1936 on a charge of assault with a dangerous weapon.

The trial judge in St. John the Baptist parish refused to quash the indictment, holding that this "is not evidence of guilt" and the defendant's constitutional rights were not affected by the absence of Negroes from the grand jury.

This decision was upheld by the Louisiana Supreme Court.

The decision Monday was delivered by Justice Hugo Black, former Alabama senator. No dissent was announced.

18-YEAR-OLD NEGRO YOUTH

Call 8-7-39

KANSAS CITY, Mo.

BIRMINGHAM.—(ANP)

—A menacing crowd of several hundred Negroes was dispersed with difficulty by police, deputies and highway patrolmen last Sunday night on First avenue North, after the proprietor of a drug store there had shot and fatally wounded a colored youth known as Junior Watson, about 18 years old.

The druggist, W. L. Fadely (white), appeared at the office of Coroner Evans on Monday morning for the inquest, following which the coroner said the case would be investigated by the grand jury which is now in session.

The druggist reportedly told police that on Sunday night an aged

colored man rushed into his store and asked protection from young Watson, who he said threatened him. The old man remained about an hour, during which time Watson approached the door several times in a threatening manner.

Fadely did not say why he had not called the police to arrest the alleged disturber. He said he ordered the youth to leave and Watson cursed him. He then went out with his pistol, and as Watson advanced toward him, shot him in the mouth. So angry was the crowd that assembled after the shooting that Police Chief Riley ordered the place closed. Several colored demonstrators were arrested for disorderly conduct and loitering.

Sheriff Kills Father Who Threatens Son

Victim Had Been

Drinking, Mother and Son Say

Special to Journal and Guide

FRANKLIN, Va.—A father who had threatened his son's life earlier in the day following a fight, was shot to death by Sheriff T. B. Bell of Southampton County on Saturday night in what the latter described as self defense.

Rufus Haskins, 42, in Raiford Hospital from the effects of shotgun wounds in the head inflicted by Sheriff Bell, after being brought here from his little farm near Courtland. With him when he succumbed was his son, Stanley, who said his father had threatened to kill him earlier in the day following a fight in which he, Stanley, was victorious. His father had been drinking, Stanley said. Sheriff Bell reported that he fired upon Haskins when the latter ordered the youth to leave and Watson cursed him. He then went out with his pistol, and as Watson advanced toward him, shot him in the mouth. So angry was the crowd that assembled after the shooting that Police Chief Riley ordered the place closed. Several colored demonstrators were arrested for disorderly conduct and loitering.

Haskins made a threat to kill his son with a shotgun following the fight, both the younger Haskins and his mother said. Answering the mother's pleas to prevent further violence, Sheriff Bell went to Haskins' home by the victim's wife who was making a desperate effort to prevent her husband from killing their son, it was said.

Haskins made a threat to kill his son with a shotgun following the fight, both the younger Haskins and his mother said. Answering the mother's pleas to prevent further violence, Sheriff Bell went to Haskins' home by the victim's wife who was making a desperate effort to prevent her husband from killing their son, it was said.

CHARGES QUASHED IN NEGRO'S DEATH

"No Bill" Is Returned By
Grand Jury In Case Of
Woodlawn Druggist

10-6-39

In a partial report to Circuit Judge Robert J. Wheeler yesterday afternoon, the Fall Grand Jury quashed murder charges filed against W. L. Fadely, Woodlawn druggist, who has been under \$1,500 bond in the shooting of a Negro, Jesse Watson, 18.

The case of Fadely was one of 19 "no-billed" by the inquisitorial body, which returned 66 true bills. At Fadely's preliminary trial, evidence showed the Negro was shot in the back of the neck by the druggist after an altercation outside Fadely's store, 6131 First Avenue, North, the evening of Aug. 27. Defense witnesses testified at the hearing the Negro had threatened Fadely with a brick.

Manslaughter indictments were returned by the Grand Jury in cases growing out of traffic fatalities. An indictment was returned against J. H. Rogers, of Omega, Ga., in connection with an auto accident July 22 on the Leeds Highway in which Alex Hallman was injured fatally. O. L. Gibson, Tarrant, was indicted in connection with the deaths of E. M. Stewart and James Dollar near Tarrant Sept. 3.

Robbery indictments were returned against Bruce Rasco, of Crestline Heights, and Virgil Trott, 28, of McCalla, accused of stealing a taxi belonging to Roy Harvey, Birmingham cab driver, Sept. 6. A 63-year-old Ensley resident, I. N. Argo, was indicted on a charge of assault with intent to murder in the shooting of his wife, Mrs. Hattie Argo, 65.

Action was deferred in two forgery cases against each of three persons—Mr. and Mrs. Sam Anthony and Ed L. Bagwell, bondsman's agent. They are accused of forging signatures to two Circuit Court appeal bonds in cases in which Anthony was convicted in Recorder's Court on charges of vagrancy and violation of the lottery law.

The Grand Jury, Solicitor George Lewis Bailes said, recessed after its partial report until Nov. 6.

ALABAMA FREES DRUGGIST KILLER OF COLORED YOUTH

districts, while three white homicide deaths were reported from urban sections and four from rural districts.

BIRMINGHAM, Ala., Oct. 19—In a report on its proceedings, submitted Tuesday, the Jefferson County Grand Jury announced quashing of the charge of first degree murder brought by the parents of Jesse Watson, 18-year-old Negro youth, against W. L. Fadely, white, Woodlawn druggist. Jones and Milton Ferguson, Jones testified he had observed Williams over a period of two weeks and said the Negro stopped persons in the vicinity of the drug store at 6131 First Avenue, North, and attempted to persuade them from trading there.

The boy was shot in the back and mortally wounded. Fadely claimed the shot was fired in self-defense after the Watson youth had threatened him with a brick, but was unable to produce any witnesses to testify in support of his version of the slaying.

A rambling story was told the police by the druggist about an "old Negro" coming into his store on the night the shooting occurred, and begging for protection from molestation by the boy, and how he had "protected" him. Fadely alleged that some time later he went outside the store and there encountered the boy who cursed him and threatened him with a brick, and that he "had to shoot him" to protect his own life. He offered no explanation of why he shot the youth in the back.

The shooting created such indignation and resentment among Negro residents of the community that they armed themselves with axes, knives and sticks and had completely surrounded the store where Fadely had barricaded himself, when police arrived. Fadely was unable to identify the "old Negro" he claimed he had "protected" from the Watson youth, nor could any trace of such a person be found during the investigation that followed.

NEGRO "BOYCOTT" RING IS CHARGED

Testimony to the effect that Woodlawn Negroes had organized a society to "boycott" the drug store of W. L. Fadely, who shot and killed a member of their race this Summer, was given in a vagrancy case tried this morning before Judge H. B. Abernethy.

On cross-examination by County Solicitor Cecil Deason, John W. Keith, Woodlawn grocer, testified he had heard of the society and said he did not think any Negroes had been employed at the drug store since the shooting of Jesse Watson, 18. Keith was a defense witness.

Defendant in the vagrancy case was Leon Williams, Negro, of 208 South Sixty-Fourth Way. He was

Judge Abernethy took the case under advisement until additional witnesses could be summoned. Murder charges against Fadely were not filed by the Grand Jury which investigated the shooting.

Wichita, Ala. Tribune

December 14, 1939

Few Negro Suicides But Many Homicides In This State

Nine times as many white people committed suicide in Alabama in October as negroes, but in the matter of homicides the story is an altogether different one; more than four times as many negroes died as a result of homicide as white people.

This was disclosed in provisional vital statistics figures made public on Wednesday by the State Department of Health, revealing that only two negro suicides were reported to its Bureau of Vital Statistics in October, as compared with 18 white deaths attributed to that cause. By way of contrast, the State Health Department called attention to provisional vital statistics reports showing that only seven white deaths were attributed during the month to homicides, as compared with 32 deaths among negroes attributed to this cause.

Both of the negro suicides were reported from urban sections, while eight of the white suicides were reported from urban sections, nine from rural areas, and one from what are known as institutional districts. The deaths of 20 colored homicide victims were reported from urban sections and 12 from rural

KILLINGS- 1939

ARKANSAS

Arkansas Supreme Court In Liberal Jury Stand

Reverses Murder Convictions In Cases of Two Men

LITTLE ROCK —(ANP)— As a result of a notable, far-reaching decision handed down by the Arkansas Supreme court, Negroes, in the future, will be included on future jury panels of First Division Court for the first time since Reconstruction days.

Central figures in the case at bar were two Pulaski county cotton pickers, Rome Bone and his younger brother, Mose Bone, whose convictions were reversed and cases remanded for new trials, because Negroes had been excluded from the jury panel. In lower court, Rome had been given the death sentence and Mose a 21-year term in prison for the slaying last September 8, of Mrs. John Weaver, wife of a plantation manager. The brothers were charged with fatally wounding Mrs. Weaver during a fight with her husband over wages, in a cotton field near Rose City. During the trial before Judge Gus Fulk in Circuit court, Attorney Scipio Jones, representing the defendants, entered a motion to quash the petit jury panel, from which the trial jury was drawn—because no Negroes were on the panel.

Judge Fulk overruled the motion, but before the trial got under way, three of the 24 original veniremen were excused and replaced by Negroes, none of whom, however, was chosen for actual service.

Monday, the Supreme Court in a unanimous decision written by Associate Justice Basil Raker, ruled that Judge Fulk erred in overruling Bones' Attorneys motion to quash the petit jury panel. Said the decision:

"We are attempting to make clear and emphasize that the test lies not in the fact that there was no juror of the Negro race upon the trial jury, but the vice is in an omission by administrative officers—jury commissioners for in-

stance—in the systematic exclusion of Negroes from the regular jury panel.

"The removal of three from an improper venire upon which 21 improperly were left, certainly did not cure the error or meet the requirements of the substantive law of the land (14th amendment to the U. S. Constitution). There was error in the failure to quash the entire venire of the petit jury."

Another member of the State High Court said the decision was the first in which the tribunal had taken such a positive stand on the matter of exclusion of Negroes from jury service in cases involving Negro defendants. Atty. Scipio Jones commented as follows:

"Under the mandate, Negroes are automatically placed for service on both Grand and Petit Juries of all the counties of Arkansas. Each juror will receive per diem of \$3.00 for the entire terms of the Circuit Courts of this State, which will amount to something like \$30,000 annually that Negroes will receive for their services as Petit Jurors, while at present, they are not receiving one dime.

Letters to Save Lives of 2 Negro Boys Urged Now

Blythwood, Arkansas, Youths in Framed Case Similar to the Scottsboro Case, Have Only Thirteen Days to Live

(Special to the Daily Worker)

LITTLE ROCK, Ark., June 19.—With only 13 days left in which to fight for the lives of the innocent "Blytheville Boys," the Joint Action Committee to save them has issued a national appeal for immediate and strenuous protest to Governor Carl E. Bailey in their behalf.

The two Negro lads, Bubbles Clayton and Jim X. Carruthers, have been raped by two masked men. Both boys gave the court full information as to their whereabouts and actions upon the night in question and produced witnesses to verify their statements. Neither offered the first description given by a white woman who told the court of the rape. The court turned a deaf ear to their defense.

On June 5 the United States Supreme Court denied certiorari to Little Rock attorney who has headed the Blytheville defense, systematically closing all legal avenues to a new and just trial for the boys. Now, with the execution dates set for June 30, the only recourse is charged with the shooting of Sheriff Wilson of Mississippi County, refused even under the most brutal beatings to confess to a crime of which they had no knowledge. The sheriff then slapped the "rape" charge against them. They have staunchly upheld their innocence during four years of death cell existence, beatings, and the governor's announcement that the execution will take place on June 30 has aroused anger and resentment here, for the governor had only a year ago indicated that he would act sympathetically in the case. Through his secretary, he had declared that his reason for not acting was that he was waiting for "all legal remedies to be exhausted."

LIKE SCOTTSBORO CASE

Following closely the pattern of Scottsboro, the Blytheville case involved the spurious testimony of a woman of questionable character, who hastily identified Clayton and Carruthers as her "attackers," even though she testified that she had

Vicious facts involving the denial of all rights to Negro people in the South are dominant in this case, including the fact that the 14th Amendment of the Constitution of the United States was disregarded when Negroes were excluded from the jury panel from which the sentencing jury was selected; that contradictory testimony, leaving room for strong doubt as to the guilt of the two young men, is contained right in the transcript of the original trial; and that mob violence ruled the courtroom during the entire trial.

Youth Who Defended Kid Sister Saved From Chair By Race Lawyer

LITTLE ROCK, Ark., Dec. 22—Two youths, Mose and Rome Bone, were sentenced here this week to serve 21 years in the penitentiary for defending their younger sister against the attacks of a white plantation boss, John Deaver.

The two brothers were picking cotton on the Miller plantation at Rose City, near here, when Deaver threatened to kick their little sister Ernestine because she had picked cotton with trash in it. Rome, who is 25 years old, told Deaver not to molest his sister and requested that they be paid off.

Both testified on the witness stand that Deaver told them "not to get smart" with him. Deaver then got his gun from a table nearby where his wife was keeping weights and guarding the money for the payroll. He pointed the gun at Mose who was in a truck unloading cotton.

When Rome saw the gun pointed on his brother, he pleaded with Deaver "not to kill my brother. Pay us off and we will go home."

Boss Attacks Youths

Deaver then turned on Rome and struck him on the jaw with the butt of the gun and told him to keep his mouth shut or he would shoot. Seeing his brother in peril, Mose jumped off the truck and landed on Deaver's shoulders, forcing him to the ground.

Mrs. Deaver called on her husband to stop the fight. As the fight continued she rushed over to part the men. When she stooped over the gun accidentally discharged, killing her on the spot.

At the first trial, a jury sentenced Rome to death and Mose to 21 years in the state penitentiary. The case was appealed to the state supreme court on the ground that no Race citizens had been summoned to serve on the jury. The appeal was handled by Scipio A. Jones, prominent lawyer.

When the case came up for retrial this week, both of the men were sentenced to serve 21 years.

WILL TRY 8 WHITE MEN IN MURDER

Pat and Ed Rollins
John Stockman, A. Color-
ed Night Watchman Slain
For Foisting Efforts of
Gang to Arrest Him.

LOS ANGELES, Mar. 9 —
Eight white men will go on
trial here for the slaying of
John Stockman, eight years
ago. Selection of a jury began on
Wednesday in Superior Judge
Arthur Crum's courtroom.

According to a press interview
with Deputy District Attorney
George Stahlman, the seven men
to go on trial as officials of a
cleaners and dyers association
which imported Pat and Ed Rol-
lins, alleged Chicago gangsters to
aid in strong arm tactics. The as-
sociation was allegedly using force
to make independent cleaners com-
bine and raise prices.

Stahlman will attempt to prove
on the night of December, 15, 1931,
the gangsters went to the plant of
the Whiteway Cleaners for the
purpose of damaging the establish-
ment. John Stockman, colored
nightwatchman, was murdered
when he resisted the efforts.

The seven men who will go on
trial as soon as a jury can be in-
paneled are: Robert Cowan,
wealthy wholesale cleaner and
dyer; Alfred Lushing, former wa-
ter and power commissioner. Both
have already been convicted and
sentenced to prison on charges of
plotting a terrorist campaign in a
cleaner's war.

The others are: George Gartler,
wholesale cleaner; Francis Fisher,
ex-convict; Edward Freeman, who
was convicted several years ago of
the Mae West jewel robbery. Pat
and Ed Rollins, believed to be the
actual slayers of Stockman, and
Morris, Malter, retail cleaner.

All men will be charged with
conspiracy of murder.

Connecticut's 1st Interracial Jury Gives Man Life

BRIDGEPORT, Conn., Oct. 27—Henry Gray, 43, of Stamford, was sentenced to life imprisonment at the Connecticut state prison at Wethersfield by Judge Kenneth Wynne in superior court Friday.

A jury found Gray guilty of the second degree murder of his sweetheart, Dorothy Telfair, 26, in a Stamford tavern on April 23. Gray was taken to Wethersfield to start serving his sentence immediately.

It was the second trial for Gray. His first trial was declared a mistrial last spring after a jury failed to reach a verdict. At the time nine members of the jury favored a second degree conviction while the other three held out for first degree conviction.

Had Gray been found guilty of the first degree indictment, it would have been mandatory for Judge Wynne to sentence him to be electrocuted. Gray's first trial attracted nation-wide attention because at the time his counsel successfully raised the question of Gray's rights being prejudiced because no Race members were placed on the panel of prospective jurors.

There were no Race members on the second jury but several Race citizens were examined for prospective jury duty. It was the first trial in Connecticut history where members of the Race were placed on a jury panel. It took the jury only an hour and 20 minutes Friday to decide Gray's fate.

COMMUNISTS IN MOCK TRIAL OF POLICE SLAYING

Sergeant Ennis and the Metropolitan Police Department will be placed "on trial" for the murder of John Edward Parran, Friday evening, at 8 o'clock, at 1529 Vermont Avenue, Northwest.

The "trial" is being sponsored by the Frederick Douglass and West End branches of the District Communist Party. William Taylor, outstanding Negro Communist leader in Maryland and the District of Columbia, will be the prosecutor.

In a statement announcing the trial the following facts were brought out: "It is only a few months since Washington celebrated its first year without a murder by the District police. Sixty Negroes had been killed when a great demonstration and campaign, in which the Communist Party played an active part, succeeded in stopping killings for over 18 months.

Shot in Back

"John Edward Parran, an 18-year-old youth, has been shot to death by a member of the Washington police force. Accompanied by several other police, this officer, Sergeant Ennis, opened fire on Parran and shot him in the back."

The statement concluded: "We must demand that Major Brown and Commissioner Hazen immediately suspend Sergeant Ennis and bring him to trial; that they make a public declaration of their intention to safeguard the civil liberties of the people of Washington; that the trial board, with representatives of civilians, be re-established."

Colored Man Slain In Restaurant Brawl

Shot through the heart in a restaurant brawl yesterday, Lonnie Pittman, colored, 25, no fixed address, was pronounced dead on arrival at Casualty Hospital.

Police took into custody Joseph Springs, colored, 29, of the 200 block L street northwest, who was stabbed in the right shoulder in the fight. No charges were placed against him but he will appear before a coroner's jury this week.

KILLINGS- 1939

FLORIDA

TWO MEN FOUND TIED NEAR AUTO SHOT TO DEATH

Deserted Car Is Discovered

By Negro On Outskirts

Of Florida Town

3-17-39

PAIR BELIEVED TO BE

GEORGIANA RESIDENTS

Couple Was Abducted After

Filling Station Holdup

By Single Bandit

MILTON, Fla.—(P)—The bodies of two men—tied together, face to face, with a cotton rope and shot through the heads, the breasts and the backs—were found today near a highway leading from the Northwest Florida city to Brewton, Ala.

Sheriff Joseph T. Allen said Turpen Wiggins, a Negro who lives near the spot, found the bodies about 200 yards off the highway when he investigated the presence of an automobile there.

The sheriff said the car carried a 1939 Alabama license tag numbered 64-937.

He said one of the men had business cards in his pocket reading: "Clifford T. Mann. Playtorious Life Insurance Company. 9035 Bell Building. Montgomery, Ala."

The other man, Allen said, had no identification marks except a belt buckle with the initial "W" and a fountain pen with the initials "C. D. W."

The sheriff said the men were blond, well dressed and about 30 to 35 years old. He said they looked like brothers. They had watches and a small amount of money in their pockets, but no billfolds.

Fear for the safety of two men abducted last night by a filling station bandit in Georgiana, Ala. caused police and state patrolmen to spread a wide lookout alarm today.

The state patrol reported the unidentified bandit, after asking \$37 from Jackson's filling station at gun-point, entered the automobile

of C. T. Mann, a customer, took the driver's seat and dashed away with Mann and an unidentified man who came to the station with Mann.

The tag number of Mann's car was given by patrolmen as C-64-937 (Alabama) and the motor number 261549.

Georgiana is just south of Evergreen, in South Alabama. The bandit headed in the direction of Mobile. The filling station operator described him as 28 to 30 years old, about 160 pounds, wearing yellow trousers and shirt, dark coat and green hat.

Florida's "Scottsboro Cases" To Be Appealed To U.S. Supreme Court

JACKSONVILLE, Fla.—The Supreme Court of Florida has finally affirmed by a divided court the death

sentence passed upon Isaiah Chambers, Charlie Davis, Walter Wood-ward and Jack Williamson, by the Circuit Court of Broward County, Florida, back in 1933. These cases are to be appealed to the U.S. Supreme Court.

Robert Dorsey, a white fish dealer, was arrested and jailed on the night of the murder. He was charged with the murder of the two men. He was found guilty and sentenced to death.

Feeling in the community ran high and mob violence was rampant. After three degree methods lasting over a week, the condemned men confessed their guilt and the others arrested in connection with the crime were discharged. The prisoners were spirited away to another County to avoid being lynched. A special Grand Jury indicted them and a quick trial followed, resulting in their conviction, upon their own confession.

The men were then carried to Raiford, after death sentences were passed, to be electrocuted. Their heads were shaved and their bodies otherwise prepared for the electric chair when Negro lawyers got into the case.

Four times the Supreme Court of Florida upon appeal sent the cases back for new trials, when error was made to appear. On the fifth and last

appeal, however, the Supreme Court has found no error and upholds the death sentence, but not without a very able opinion points out that the confessions of the accused were voluntarily made; that the Constitution prevents any man from being forced to testify against himself in any criminal case. The majority opinion, however, of the Supreme Court holds that although the prison-famous Alabama Scottsboro cases, the defendants were questioned and cross questioned, they were not given the opportunity to consult with counsel, and the defendants were not given the opportunity to consult with counsel.

It has been announced, however, that the fight to save the lives of these four innocent men is by no means at an end, for their counsel, Col. S. D. McGill of the Jacksonville Bar, who has waged a bitter fight for more than five years to save his clients from the electric chair, says that he is unwilling to stop until every legal right open to the condemned men has been exhausted.

To Appeal to Supreme Court

STATE SUPREME COURT GIVES TIME FOR APPEAL TO U.S. SUPREME COURT

TALLAHASSEE, Fla., May 14.—Chambers, Jack Williamson, Charlie Davis and Walter Woodard, all under sentences of death in Broward County, Florida, since 1933, won a stay of execution for ninety days in the Supreme Court of Florida on Thursday, when Chief Justice Glen F. Ferrell granted their petition and signed an order, suspending the death sentences.

The stay was granted by the 15th day of February, 1939, denying the frantic appeals of attorneys and friends on behalf of the prisoners. Franklin P. McCall, a white man, was granted the stay for time to carry his case to the United States Supreme Court, and as a result, a few days later McCall went to his death in the electric chair at Raiford, Florida. Immediately after the court made its ruling, directions to the Clerk of the Supreme Court of Florida to proceed with the making or a transcript of the record, were given to S. D. McGill who appeared before the court and obtained the stay. The attorney states that the case should be ready to be filed in the United States Supreme Court within the next month or two.

NEGROES WON WHERE WHITE MAN LOST
The order of the Supreme Court of Florida halting all attempts by officers of the State of Florida from carrying out these death sentences will become increasingly important when it is remembered that this same Supreme Court, on

TWO MEN FOUND TIED NEAR AUTO SHOT TO DEATH

Deserted Car Is Discovered

By Negro On Outskirts

Of Florida Town

3-17-39

PAIR BELIEVED TO BE

GEORGIANA RESIDENTS

Couple Was Abducted After

Filling Station Holdup

By Single Bandit

of C. J. Mann, a customer, took the driver's seat and dashed away with Mann and an unidentified man who came to the station with Mann. The tag number of Mann's car was given by patrolmen as C-64-937 (Alabama) and the motor number 261549.

Georgiana is just south of Evergreen, in South Alabama. The bandit headed in the direction of Mobile. The filling station operator described him as 28 to 30 years old, about 160 pounds, wearing yellow trousers and shirt, dark coat and green hat.

Florida's "Scottsboro Cases" To Be Appealed To U.S. Supreme Court

JACKSONVILLE, Fla.—The Supreme Court of Florida has finally ruled Court. Mr. Justice Brown in affirmed by a divided court the death sentences of the accused were sentence passed upon Isaiah Chann-void and therefore the death sentences were, Charlie Davis, Walter Wood-void for they were freely and voluntarily and Jack Williamson, by the jury made; that the Constitution Circuit Court of Broward County, prevents any man from being forced Florida, in 1933. These cases are to testify against himself in any community known as Florida's "Little Criminal case. The majority opinion, Scottsboro cases" because they are so, however, of the Supreme Court holds similar in many aspects to the now in effect, that although the prison- famous Alabama Scottsboro cases, they were questioned and cross ques- Robert Dorsey, a white fish dealer, day and night for a period of was killed by a company. Broward more than a week before the confes- Sheriff of the County on the same night was short of coercion and fear night of the murder arrested and jail in obtaining the confession. ed some twenty-five or thirty per- If the defendants go to the death crime. Feeling in the community ran high and mob violence was rampant. After third degree methods lasting over a that the fight to save the lives of week, the condemned men confessed in means at an end, for their counsel, their guilt and the others arrested in connection with the crime were dis- charged. The prisoners were spirited away to another County to avoid being lynched. A special Grand Jury soon indicted them and a quick trial followed, resulting in the conviction of the men. The men were then carried to Raiford, after death sentences were passed, to be electrocuted. Their heads were shaved and their bodies otherwise prepared for the electric chair when Negro lawyers got into the case.

To Appeal to Supreme Court

It has been announced, however, that the fight to save the lives of these four innocent men is by no means at an end, for their counsel, S. D. McGill of the Jacksonville Bar, who has waged a bitter fight for more than five years to save them, has filed a petition for writ of habeas corpus with the Supreme Court of Florida, asking that the cases be appealed to the U.S. Supreme Court. McGill says that he is unwilling to stop until every legal right open to the condemned men has been exhausted.

STATE SUPREME COURT GIVES TIME FOR APPEAL TO U.S. SUPREME COURT

TALLAHASSEE, Fla., May 4.—Ben Chambers, Jack Williamson, Charlie Davis and Walter Woodard, all under sentences of death in Broward County, Florida, since 1933, won a stay of execution for ninety days in the Supreme Court of Florida on Thursday, when Chief Justice Glenn Terrell granted their petition and signed an order, suspend-

ing all further proceedings by state officers in carrying out the death sentences upon the prisoners until their attorneys have had time to perfect an appeal in the United States Supreme Court of Florida is not a matter of right but rests in the sound discretion of that court. The court will not stop the operation of the state's machinery unless a clear right to a review in the United States Supreme Court is shown.

NEGROES WON WHERE WHITE MAN LOST

The order of the Supreme Court of Florida halting all attempts by officers of the State of Florida from carrying out these death sentences will become increasingly important when it is remembered that this same Supreme Court, on

the 15th day of February, 1939, denied the frantic appeals of attorneys and friends on behalf of Franklin P. McCall, a white man, for time to carry his case to the United States Supreme Court, and as a result, a few days later McCall went to his death in the electric chair at Raiford, Florida. Immediately after the court made its ruling, directions to the Clerk of the Supreme Court of Florida to proceed with the making or a transcript of the record, were given to S. D. McGill who appeared before the court and obtained the stay. The attorney states that the case should be ready to be filed in the United States Supreme Court within the next month or two.

Florida's Scottsboro
Case To Be Reviewed

By Supreme Court

JACKSONVILLE, Fla. —

United States Supreme Court has announced that it has granted petitions filed in Washington some six months ago by Izell Chambers, Jack Williamson, Charlie Davis and Walter Woodard, to review the judgments of the Florida Supreme Court and to have their death sentences set aside in what has been called "Florida's Little Scottsboro Case".

The four men were convicted in the Circuit Court at Fort Lauderdale, Fla., and sentenced to death for the alleged murder of a white fish dealer in Pompano back in May, 1933. Their heads were shaved and they were prepared for death in the electric chair when Jacksonville citizens employed Negro lawyers and halted what would have been Florida's first quadruple execution.

Four times the Florida Supreme Court reversed the death sentences and sent the cases back to the lower court for new trials, only for the men to be again convicted and sentenced to death, convictions being based upon forced confessions of guilt. On the last appeal, the Florida Supreme Court affirmed the death sentences and counsel for the condemned men immediately took the case to the U. S. Supreme Court.

Counsel for the condemned men in all of these trials and appeals in the Florida courts have been represented by Attorney S. D. McGill and on appeal to the United States Supreme Court by Attorneys L. A. Ransom of Howard Law School and Thurwood Marshall of NAACP.

SCOTTSBORO CASE OF FLORIDA GOES TO SUPREME COURT

WASHINGTON, (A N P) —

"The Little Scottsboro" case

Chambers and others, vs. the

state of Florida, is to be heard

in the supreme court during the

week of Dec. 1, according to

notice received this week by

Dr. Leon A. Ransom from S. E.

Cropley, clerk of the court.

This case, which came to the

attention of the NAACP after

the first conviction, involves

four Negroes accused of the murder

of a white man in Pompano,

Fla., in 1933. The record indi-

cates that the colored men were

arrested on suspicion and sub-

jected to torture by the local

police officers and civilians un-

der the threat of death.

They were brought to trial, two

of them without counsel and the

other two with counsel appointed

by the court only the day before

the hearing. No preparation was

made for their defense, the attor-

ney did not see his clients until in

the court room, and the conviction

was a foregoing conclusion.

S. D. McGill, noted attorney of

Jacksonville, Fla., and a member

of the NAACP legal committee, took

the case to the Florida supreme

court which upheld the death sen-

tence imposed by the lower court.

The legal staff of the NAACP

Supreme Court to Hear Fla "Scottsboro Case"

WASHINGTON, D. C. —

(A N P) — "The Little Scotts-

boro" case, Chambers and

others, vs. the state of Flor-

ida, is to be heard in the

Supreme Court during the

week of December 1, accord-

ing to notice received by Dr.

Leon A. Ransom from S. E.

Cropley, clerk of the court.

This case which came to the at-

tention of the NAACP after the

first conviction, involves four Ne-

groes accused of the murder of a

white man in Pompano, Fla., in

1933. The record indicates that

the colored men were arrested on

suspicion and subjected to torture

by the local police officers and

civilians until they confessed.

They were brought to trial, two

of them without counsel and the

other two with counsel appointed

by the court only the day before

the hearing. No preparation was

made for their defense, the attor-

ney did not see his clients until in

the court room, and the conviction

was a foregoing conclusion.

S. D. McGill, noted attorney of

Jacksonville, Fla., and a member

of the NAACP legal committee, took

OUR MURDER RECORD

If colored men murdered white men in Nashville so frequently as to earn for Nashville the notoriety of being the "homicide capital of the United States," we wonder if that fact would not cause the people here to take some steps to remove that blot from the city's name?

Or if white men shot and cut other white men to death as a common pastime to the extent that this city could "boast" of leading every other city of the nation in murders, we wonder if this condition would be excused on the claim that nothing could be done about it because the city was unable to place a policeman in every home of the city?

The answer to both questions is "no, a thousand times no!"

Nashville, from the standpoint of the number of Negroes who kill white men has a reputation, we are confident, that is highly misleading, notwithstanding the fact there is enough trouble between the races for Negroes to kill white men as often as they kill each other if they felt that they could get away with it as easily as when they kill members of their own race.

Nashville, from the standpoint of the number of white men who kill members of their own race, is by no means a city that ranks high in homicides, notwithstanding the fact that there is enough trouble among white men for them to cut and shoot each other to death if they felt they could get away with it at the court house as easily as Negro killers whet their slaughter Negroes only.

We deny the insinuation that Negroes of Nashville are more depraved than are the Negroes of Memphis, Atlanta or Chattanooga, cities which do not have the distinction of being the "homicide capital of the United States."

We deny the implication that it would be necessary to detail a police officer to every home in Nashville in order to remove from this city's name the disgrace that comes from being known as the "homicide capital of the United States."

We are confident that the first thing needed in Nashville is the will of every citizen opposed to crime, and especially the crime of murder, to do something

about it and to be persistent in doing something about it. Schools can help; churches can help; the press can be as powerful an aid in reducing the city's murder record as it has been in reducing the city's record in automobile deaths.

But our officers of the law are in position to make the biggest contribution to a reduction of Nashville murders. The continued bad advertising the city is getting for its number of murders should challenge officers of the law to put the good name of our city above any inclination to be lenient with Negroes who murder members of their own race.

Juries should give Negroes who kill members of their race penalties that fit the crime and irrespective of the race of the killer or the person killed. Judges should instruct juries that murder is

murder and no allowance need be made out of respect for the fiction that Negroes who kill each other are ignorant of the enormity of their crimes. No such leniency is ever shown when Negroes kill members of the white race.

There should be a cessation by officers of the practice of urging pardons and paroles for Negroes who kill members of their race in cases where these officers never would think of doing such if the criminal were white and had killed a member of the white race.

Known killers, when released from prison, should not be turned loose on Nashville if they came to prison from other places in this state.

Once the men who reach for their pistols and knives on the slightest provocation and kill their associates learn that the law of this place is no longer going to go easy with them in honor of an old tradition, there will likely be as small a per cent of murders here as in New York or Chicago. Civic pride demands that everything possible be done to remove

from Nashville's name the stigma of being the "homicide capital of the United States."

Stop This Killing

By DEAN GORDON HANCOCK

(An Editorial)

By OLIVER EMMERICH

A Negro was killed in Burglundtown Saturday night. Killings in Burglundtown are no longer unusual. The slaughter has assumed the characteristics of a habit.

Burglundtown is known as the "Harlem" of Southwest Mississippi. Many of the crimes committed there are committed at the hands of "outsiders"—Negroes coming from surrounding areas. The crimes are crimes just the same and something should be done in an effort to thwart these offenses.

The colored people of Summit had a mass meeting Sunday afternoon for the purpose of making a drive to suppress these Saturday night debaucheries. Edith Monroe, colored school teacher, and a civic and social worker among the Negroes, took the lead in this drive. Surely if a situation warrants the patriotic response of the colored people it should be given the whole-hearted support of the white people of this community.

The white people are responsible for this continued situation. When arrests are made the Negroes appeal to their white friends and these white people appeal to the officers and the court. Negroes often get light sentences as a result, and the wave of crime rolls along unsurpassed.

The public cannot blame this situation on the enforcement officers. They have an obligation to be sure, and there should be a "tightening up" . . . The public in the meanwhile should cooperate.

Sunday the steps of the Methodist church were difficult to approach because of the blood that had been spilled the night before. This is a horrible state of affairs.

Recently a Negro severely cut a woman and remarked, "Go a-

head and call the law. My white boss will get me out of this" . . . and the following day the "white boss" responded.

This is a civilized age and there is no place in it for Saturday night killings. . . . And the only way to halt this murder is to use that death trap down in the Magnolia courthouse. Men have fallen through that trap before. But it has been a long time since a man fell through the hole with a rope about his neck. Why is it that the law provides capital punishment and yet so few men are hanged in Pike county? Murders are frequently committed but a hanging is unusual. . . . And get this straight—the law is violated just as seriously when a Negro is murdered as when a white man is killed. The law should make no distinction.

There are law abiding Negroes in Burglundtown who want protection. But they can do nothing about it for the law is in the hands of white citizens who make and control it.—McComb Daily Enterprise.

THE LAW OF DANGER

It may happen sometime that a party who has entered into a special contract or agreement to make an article for someone is notified by the purchaser that he will not receive the article when it is finished. In such cases, the work should be stopped at once.

The Invisible Empire

THE CONGRESS of the United States has appropriated large sums of money for investigation of "reds", the preachers and practitioners of a varied assortment of isms who, so declare some of our statesmen, are undermining the foundations of our American system of government. These investigations, with the expense they have entailed, have not, as yet, made this country the really true, democratic land that patriots and those who hate oppression have dreamed of and hoped for. There is yet in this country a vast invisible empire, at whose machinations no investigation has yet been directed by congressional committees at governmental expense.

With subtle and insidious machinations, an irresistible and invisible power that has long been operating against the perpetuity of this nation, moves to strangle our liberties and to nullify our freedom through the instrumentality of class and racial tyranny. Right now, and for many years, the Negro group has been bearing the brunt of the relentless assault of the minions of this invisible empire of intolerance and bigotry. On every hand he has been made to feel the pinch of tyranny in being denied every chance and robbed of every opportunity to be the sort of citizen he is fully capable of becoming. Whether he is being harrassed by the hooded Ku Klux Klan as a voter in the South; whether he is being denied professional opportunities through prejudiced white organizations such as the AMA; whether he is being deprived of educational opportunities by state supported schools; whether he is being denied the right to live where he is able to purchase homes, through the connivance of white property owners and prejudiced judges, or whether he is refused service in public places, seats in theatres, he is at one and the same time the victim of the tyranny of the invisible empire that controls and rules America with a ruthlessness as heartless as ever a Nero could invent.

The domain of this invisible empire is great; its armies are vast in numbers, making up many-named organizations, all bent upon the accomplishment of one task—that of grinding between the upper and nether stone of oppression the objects of their unlicensed hatred while America looks on in diffident acquiescence. But will she escape wholly free? Will the Negro suffice as a sacrifice to the lust and cruel hatred of the rulers of this invisible empire? Will the complete taking away of his liberty satiate the fury of those whose sport it is to oppress?

Let America beware and be warned that, eventually, the hands that have for so long a time garroted the Negro people will, when they shall have finished their hellish task, not be slow in turning to the torturing of other people, even whites who love liberty and justice. The invisible empire is in the ascendancy. The ambition of its rulers is not only to completely suppress the Negro in America, but also to stamp out every democratic principle of the American government. The sacrifice of the Negro will not prevent this eventuality, but America's continued winking at the abuses heaped upon him will hasten its consummation.

Racial Bias On American Ships Is Critized By Joseph Curran, Head Of National Maritime Union

NEW ORLEANS, La. — (CNA) — Racial discrimination on American ships was bitterly assailed by Joseph Curran, president of the National Maritime Union, in his report to the second biennial convention of the CIO union, held here recently. Curran reported that of approximately 5,000 Negro members of the union, 1,000 had lost their jobs "through no fault of their own." Atlantic Coast steamship and tanker companies" during the past 18 months.

Responsibility for the situation was placed by the union president upon (a) the ship owner who, he asserted, fostered race prejudice in the effort to divide the workers, (b) disruptive elements within the union, who, he said, tried to set white members against Negro members and vice versa in an attempt to embarrass the leadership, and (c) to the political backwardness of some white crews, who "have refused to accept Negro replacements even when the operators have agreed to them."

Praising the participation of Negro seamen in the rank and file strikes of 1935 and '37 out of which the National Maritime Union developed, Curran declared that "This lesson in unity was not lost upon the white delegates to the first NMU Constitutional Convention. They insisted that complete equality for the Negro in every phase of the new union's activity be written into the constitution and this was done."

"And yet, despite the spirit and letter of the Constitution, Negroes have been steadily forced off MAU ships."

Warns of Disunity

"Trade union history has proved that racial, color and religious discrimination has always been an obstacle in the path of unity, dividing workers into small groups which are vulnerable to all types of employer attacks," the CIO leader warned. "Practiced by organized labor itself, constantly fostered and stimulated by industry, discrimination has been the Waterloo of many a union and many a strike."

Curran cited as an example the impotence of the old International Seamen's Union in which "Negro seamen were segregated from white seamen, in accordance with the historical Jim Crow philosophy of the A. F. of L."

Reasons for the loss of jobs by Negro members of the union, were listed by Curran as follows:

Laying up of ships on which Negroes were employed.

Companies employing Negroes going out of business.

Transfer of ships from a company which employed Negroes to one which did not.

Changes in the classification of ships in a given trade.

Ships' crews refusing to accept Negro replacements, "in violation of our Constitution, which calls for strict rotary hiring."

"Whatever the case of the problem, a solution can be found," he continued. "A solution must be found. Abraham Lincoln once said that a nation cannot endure half free and half slave. A labor union cannot long endure if it continues suppressing the economic rights of an important minority within its ranks."

"The problem cries out for solution. If we don't solve it, the result is going to be disastrous for the union, for whites as well as Negro seamen."

OUR HOMICIDE RECORD

It must have been gratifying to Atlantans to note the drastic decrease in the number of colored homicides and violent deaths during 1938 as compared to 1937. Though 30 persons, far too many, died at the hands of assailants in 1938, they were 34 less than the 114 who passed in the same fashion in 1937; 48 less than in 1936 and 51 less than in 1935.

We have always fought against the ways of those who with too little or no provocation wield assault weapons among our folk. It has been known to be the "common knowledge" that to kill another of our kind would bring only the slightest punishment at the hands of the law. During the last year, however, the forces of justice have changed considerably in attitude and we have seen lengthy and extreme penalties meted those who committed the heinous crime of murder.

We should continue to work for lowering of any homicide total among colored Atlantans. Few cases of justifiable homicide were among the four score cases recorded as killed in violence." Let us continue to reduce the score. Life is too sacred and understanding too simple for profane miscellaneous human slaughter.

Negro Tried For Slaying Gen. Lee's Kin

Minister's Widow Tells Of Fatal Sniping Into Island Rectory

BRUNSWICK, GA., Jan. 18.—(AP)—Prosecution testimony was presented swiftly today against George Cleyborn, negro resort employe accused in the killing of Dr. Charles H. Lee at the rectory of Christ Episcopal Church almost a year ago.

Mrs. Lee, grey-haired widow of the minister, took the stand as the first witness to tell again of the sniping which followed protest against vice and crime on St. Simons Island.

Dr. Lee, robust, 6-footer, second cousin to Gen. Robert E. Lee, was killed by a bullet through the temple near midnight Feb. 5 while he worked on a sermon. Words of St. Paul, "Whatsoever ye do in word or deed, do all in the name of Lord Jesus, were before him.

Two shots were fired through the rectory window. Mrs. Lee said she and her husband mistook the first for the backfire of a motor car and she later retired to her room. The sound of the second aroused her, she said, and she found Dr. Lee dead in his chair.

Cross examination was limited. Attorneys for Henry J. and W. H.

Negro Is Convicted Of Slaying Rector

BRUNSWICK, GA., Jan. 22.—(AP)—George Cleyborn, negro, was convicted today on charges of first-degree murder in connection with the shooting last February of Dr. Charles H. Lee, Episcopal rector of historic Christ Church on St. Simons Island.

State judges deliberated at 3:30 p.m. Saturday, a Glynn County Superior Court jury returning a verdict at 11:10 a.m. today with a recommendation of mercy, which under Georgia law obligates a sentence of life imprisonment.

Solicitor Glenn Thomas said two white men under indictment for murder in connection with the Lee slaying, H. J. and W. H. Cofer, island resort owners, would be tried during the May term of court.

Exact reasons for the killing of the 71-year-old rector never have been disclosed. He was for many years a crusader against vice, and police said when he was shot it probably was for that reason. Dr. Lee was sitting at his desk in the rectory preparing a sermon when the fatal shot was fired late at night last Feb. 5.

The grand jury indicted Cleyborn and the Cofer brothers after police said Cleyborn admitted he was hired by the Cofers to shoot Dr. Lee. The negro later repudiated the statement. The Cofers have denied any connection with the case.

During the trial of Cleyborn a witness for the State, Mrs. Carrie Stevens, testified she saw H. J. Cofer pay Cleyborn \$150 "to do the job."

The defense fiercely attacked credibility of Mrs. Stevens as a witness. Mrs. Stevens, credited by police with giving information which led to arrests in the case, was paroled from a burglary sentence to assist in the investigation.

NEGRO'S TRIAL SET IN SLAYING

BRUNSWICK, Ga., Jan. 17.—(AP)—Trial of George Cleyborn, Negro, charged with the slaying of Dr. Charles H. Lee, rector of Christ Episcopal Church, is expected to be called Wednesday in Glynn County Superior Court. Cleyborn indicted with two white men, Henry J. and W. H. Cofer, brothers and operators of a resort on St. Simons Island, following a purported confession by Cleyborn that he was paid \$150 to shoot the rector. The Negro later repudiated the statement, saying he made it because he was "scared." A shot through a window of the rectory on the night of Feb. 5, 1938, killed Dr. Lee as he was preparing a sermon.

DENIES SLAYING

Negro Accused in Rector's Death Claims Innocence

BRUNSWICK, Ga., Jan. 22.—(AP)—Prosecutors expected to close Saturday their case against George Cleyborn, Negro charged with murder in the mysterious midnight slaying of Dr. Charles H. Lee, rector of Christ Episcopal Church.

Following denials from two of three persons indicted in the St. Simons Island shooting, rebuttal testimony and arguments were to open the fourth day of the trial and pave the way for the Superior Court jury to receive the case.

Cleyborn said "I don't know anything about the killing" and "if you convict me you convict an innocent man" before the jury rested late Friday night.

H. J. and W. H. Cofer, brothers, also are charged with murder in the case. They are expected to go on trial next week. Testifying yesterday as a defense witness, H. F. Cofer denied any connection with the slaying. He said his relations with the rector of historic Christ Church had been pleasant, adding he heard him preach a few times.

Life Term Instead Of Death

Rivers Signs On Recommendation Of Prison Commis'n

ATLANTA, Ga., Jan. 19.—(AP)—Acting on a recommendation of the Georgia Prisoners' Commission, Governor E. D. Rivers signed papers Wednesday morning commutating Joe Black's death sentence to life imprisonment.

Black was convicted for his alleged part in the holdup slaying of Andrew Parks, Pittsburgh druggist, who was shot to death May 5, 1937, shortly after 11:30 o'clock that night.

The defendant was convicted largely upon the testimony of Charlie Jackson, the state's star witness, who has never been brought to trial for his part in the case.

Attorney H. A. Allen will seek an executive pardon for Joe Black, the World learned Wednesday night. Legal papers seeking the pardon were reported drawn up immediately after Black's death sentence was changed to life imprisonment.

the killing. Jackson testified that he and Black and an anonymous "Tampa Red" had held up Melvin Herd, Albany, Georgia, school teacher and tied him to a tree prior to going out in Pittsburgh where Parks was shot to death.

ALLEN FIGHTS BACK

Despite the fact that Heard, the rob-ride victim, failed to identify Black after pointing out Jackson, and an airtight alibi presented by Attorney H. A. Allen, the trial jury found Black guilty as charged, without a recommendation of mercy, and he was sentenced to die by visiting Judge James C. Davis.

Immediately following the trial, Attorney Allen filed an appeal for a new trial but this was later denied by Judge Davis after which Attorney Allen took the case to the Georgia supreme court which affirmed the death sentence.

Black was then re-sentenced to die on December 27, 1938 but a desperate last minute appeal to Governor Rivers by Attorney Allen resulted in the defendant being granted a 30-day respite on December 21.

MANY PLEAS HEARD

Friday, January 6, Attorney Allen, aided by Attorney Stonewall Commission, Governor E. D. Rivers signed papers for an appeal to the Prison Commission for clemency, at which time a petition was heard. It bore hundreds of signatures from white citizens asking for mercy, as well as personal appeals from both white and colored citizens.

The state, represented by Assistant Solicitor Ed. Stephen and Special Investigators Cole and Pounds, fought the appeal vigorously, contending that the sentence should be carried out as affirmed by the state supreme court.

but, after reviewing the case tentatively, the Prison Commission recommended mercy.

SEVEN TERM GIVEN IN SLAYING OF RECTOR

BRUNSWICK, Ga., Jan. 22.—(AP)—George Cleyborn, Negro, was convicted Sunday on a charge of first degree murder in connection with the shooting last February of Dr. Charles H. Lee, Episcopal rector of historic Christ Church on St. Simons Island.

Starting deliberations at 9:30 p.m. Saturday, a Glynn County Superior Court jury returned its verdict at 11:10 a.m. Sunday with a recommendation of mercy, which under Georgia law obligates a sentence of life imprisonment.

Solicitor Glenn Thomas said two white men under indictment for murder in connection with the Lee slaying, H. J. Cofer and W. H. Cofer, island resort owners, would be tried during the May term of court.

Exact reasons for the killing of the 71-year-old rector never have been disclosed. He was for many years a crusader against vice, and police said when he was shot it probably was for that reason. Dr. Lee was sitting at his desk in the rectory preparing a sermon when the fatal shot was fired late at night last Feb. 5.

The Grand Jury indicted Cleyborn and the Cofer brothers after police said Cleyborn admitted he was hired by the Cofers to shoot Dr. Lee. The Negro later repudiated the statement. The Cofers have denied any connection with the case.

During the trial of Cleyborn a witness for the state, Mrs. Carrie Stevens, testified she saw H. J. Cofer pay Cleyborn \$150 "to do the job."

The defense fiercely attacked credibility of Mrs. Stevens as a witness. Mrs. Stevens, credited by police with giving information, which led to arrests in the case, was paroled from a burglary sentence to assist in the investigation.

Negro Is Convicted Of Slaying Rector

BRUNSWICK, GA., Jan. 22.—(AP)—George Cleyborn, negro, was convicted today on a charge of first degree murder in connection with the shooting last February of Dr. Charles H. Lee, Episcopal rector of historic Christ Church on St. Simons Island. Starting deliberations at 9:30 p.m. Saturday, a Glynn County Superior Court jury returned its verdict at 11:10 a.m. today with a recommendation of mercy, which under Georgia law obligates a sentence of life imprisonment.

Solicitor Glenn Thomas said two white men under indictment for murder in connection with the Lee slaying, H. J. and W. H. Cofer, island resort owners, would be tried during the May term of court.

Exact reasons for the killing of the 71-year-old rector never have been disclosed. He was for many years a crusader against vice, and police said when he was shot it probably was

for that reason. Dr. Lee was sitting at his desk in the rectory preparing a sermon when the fatal shot was fired late at night last Feb. 5.

The grand jury indicted Cleyborn and the Cofer brothers after police said Cleyborn admitted he was hired by the Cofers to shoot Dr. Lee. The Negro later repudiated the statement. The Cofers have denied any connection with the case.

During the trial of Cleyborn a witness for the state, Mrs. Carrie Stevens, testified she saw H. J. Cofer pay Cleyborn \$150 "to do the job." The defense fiercely attacked credibility of Mrs. Stevens as a witness. Mrs. Stevens, credited by police with giving information, which led to arrests in the case, was paroled from a burglary sentence to assist in the investigation.

Macon (Ga.) Telegraph
January 24, 1939

Convicting Negro Was Right

The jury which convicted the Negro George Cleyborn for the assassination of Dr. Charles H. Lee on St. Simon's Island did the logical and proper thing in recommending him to mercy, and thereby securing life in prison instead of electrocution. Some criticism is heard as to the possibility of the white men accused in this case being allowed to go free when they come to trial, and thus making the Negro the victim of the crime alleged to have been instigated by the white men. Of course, if it is proven in the trial of the white men that they did instigate the murder, they should be punished as the principals in the case, and that might call for severer punishment than that given the Negro.

But in criticising the jury's verdict in the case of the Negro, not all the circumstances are taken into consideration in arriving at harsh judgment of the jury.

In the first place, the Negro confessed the crime, and re-enacted it in such detail and with such fidelity to his original story, that everyone was convinced that he was guilty, as he claimed. In his original confession he included another Negro who was a friend or companion of his, and even named the different weapons the two of them used. This other Negro was able to prove his presence somewhere else when the crime was committed, and the murderer thereupon exonerated his alleged accomplice. This discredited the entire story of Cleyborn, and circumstantial evidence had to be relied upon to bolster his confession. This was obtained in ample measure, and there was nothing else for the jury and the courts to do but convict him. Recommendation to mercy was about all that was left to be done in the way of magnanimity, and this was evidently based upon the fact that he was of the low order of mentality of so many criminals, he had never had education, association and opportunity to reach the heights established by

society for the conduct of others than the standard fixers, and he would be needed as a witness in the trial of the white men when it came on at a later date.

The white men deny any connection with the tragedy, and we hope they may be able to prove their innocence, if they are innocent. However, the case "broke" with a statement of a Macon woman, discredited though it is, that she overheard the white men bargaining with Cleyborn, saw them pay \$150 for the job, and told of the details in a fairly convincing manner. What a jury may think of the connection of the white men with the crime remains to be seen. In the meantime, about the only thing that could be done with the Negro's case has been done, and the law enforcers deserve the appreciation of the public that believes in justice and fair play for other people.

PLEAS OF INNOCENCE DO NO GOOD

Cleyborn Denies Complicity, But Georgia Jury Finds Him Guilty — "Mercy" Recommended.

BRUNSWICK, Ga., Feb. 2 —(Special) — Though he

steadfastly denied throughout his trial any part in or knowledge of the crime, and repudiated an alleged confession of complicity in it, George Cleyborn, farm worker, was convicted here last Tuesday of the murder on St. Simon's Island last February, of Dr. C. H. Lee, elderly crusading Episcopal rector, mysteriously slain by a bullet fired after nightfall through his study window. The jury returning the verdict, however, recommended mercy, and Cleyborn was given a sentence of life imprisonment.

Jointly charged with Cleyborn in the slaying, are two white men, H. J. Cofer and W. H. Cofer, brothers and former resort operators on St. Simons where Dr. Lee prior to his tragic death, had been conducting a crusade against vice. Trials of the brothers were recently postponed until early summer. Counsel defending Cleyborn have announced they will file a motion for new trial and if that is denied will appeal the case to the State Supreme Court.

IN BAD COMPANY

A Roman Catholic bishop in Georgia invited the head of the Ku Klux Klan to visit one of the important ceremonies of his church.

Well, just what common understanding can exist between the Roman Catholic church and the Klan is hard to imagine. Certainly, the church generally does not approve any such. True, the Klan may be interested in some problems of equal interest to the Roman church; some many other lawless groups. But this constitutes no reason for co-operating with these outlaw movements.

Maybe the bishop felt that if Prime Minister Chamberlain of England could reach common ground with Hitler of Germany and Mussolini of Italy, he ought to be able to deal with the Klan. But for us, we believe he is walking on unsafe ground.

White Planter Out On \$3000 Bail In Slaying

GREENVILLE, Ga.—(SNS)—Bail of \$3,000 was allowed John Wallace, white planter and dairyman Saturday, in the fatal shooting of 27-year-old Willie Reeves.

The bond was fixed by Judge Lee B. Wyatt, of LaGrange, best remembered as the jurist, who seven years ago passed the 18 to 20 year sentence on Angelo Herndon, Atlanta, communist leader.

The prosecutor stated that Wallace had been held in jail since Justice of the Peace C. W. Trammell had held a commitment hearing last Thursday. He was denied bond at that time pending action of the grand jury, which convenes in August.

The slaying, the prosecution charges, was the result of the planter's attempt to persuade several laborers to leave Wallace's plantation.

Reeves, it was testified, has been careful to keep a safe distance from Wallace's farm after he had talked to the workers, lest he be the victim of foul play. Saturday night, March 19, when Reeves was killed, Graham said he was waiting to drive two colored girls employed at Wallace's home to another place.

KILLINGS- 1939

GEORGIA

ONE DEAD, 50 ARRESTED AS RESULT OF PITCHED BATTLE

Royston Group And CCC Camp Members In Bloody Fight

Only word
11-39
Atlanta Ga.
**Eatonton Man Dies of Gun Wound;
Guns, Sticks, Knives and Rocks
Used as Weapons in Gang War**

CARNESVILLE, Ga.—(SNS)—One person was dead and fifty were in jail here Monday as the aftermath of a pitched battle between a group of Royston residents and members of a CCC camp Sunday, according to Sheriff T. W. Andrews. All involved are colored.

The slain person is Briscoe Ingram, a CCC enrollee from Eatonton. He was struck by one of the several shots fired during the melee.

The pitched battle saw the employment of guns, knives, sticks and rocks at a dance hall on the outskirts of Royston.

47 CCC ENROLLEES

Sheriff Andrews said forty-seven of those arrested were enrollees of CCC Camp 3438-SOS17, located near Royston, held on disorder charges, and the other three are Royston residents held in connection with the fatal shooting.

The battle was reportedly the outgrowth of bad feeling which had existed between the Royston group and the CCC enrollees for several weeks. Saturday night several of the enrollees had "made trouble" at the dance hall and had been ordered away, it was stated. Later that night about twenty of the enrollees returned in a truck and again were ordered away after an

argument. The enrollees then allegedly increased in number to about 75 and returned early Sunday to fight with the Royston group, which numbered about 20, the sheriff reported.

35 BUTCHER KNIVES

The law enforcement officer said he and his men "took from 30 to 35 butcher knives from the arrested Negroes."

The CCC camp was established near Royston about two months ago, it was stated.

Struck on the head with a rock when he attempted to quiet the combatants was Sheriff Andrews' son, James Marvin, 17, who frequently assists his father in his work. His injuries were slight, it was learned.

WILL PLEAD GUILTY

"About 40 of the arrested youths told me Monday they wanted to plead guilty to charges of disorderly conduct," Sheriff Andrews stated.

Solicitor General A. S. Skelton, of Hartwell, was expected to arrive today to aid in disposing of the cases.

Hold White Man In Fatal Knifing Of Race Georgian

8-30-39
Atlanta Ga.
MILLEDGEVILLE, Ga.—(S N S)—Police here this week were holding 24-year-old George Osborne, white, without bond in the fatal stabbing last Saturday night of Warren Burden, 19-year-old Hancock county resident.

Burden was pronounced dead on arrival at the Milledgeville hospital. He was found to have sustained severe stab wounds of the chest and back and the steel blade of a knife had broken off in his skull.

The stabbing is reported to have occurred near the Linton school campus and followed an argument between the two men. It was not revealed what the argument was about.

A Martyr Has Fallen

IN the gang like fashion slaying of Professor G. J. Van Buren, principal of the Adel Training School, the state sustains a great loss. Professor Van Buren, a graduate of Oberlin, was a tall oak in the educational forest in Georgia. His most outstanding contribution to higher education in this state is probably the Jasper County Training school at Monticello, where his group enjoys a standardized school of modern equipment and a modern teacher's cottage.

About two years ago he was assigned to work at Adel, down in the tall pine section of Georgia near the Florida line. In his accustomed method of hard work and self-denial, he founded the work well. He was carrying on with brilliant success. Here he established a bus line for the transportation of students from the remote rural areas to his excellent plant. While he served a short while at Adel, his work is so well founded that it will go on to a fine success.

It was on Thursday night, while crossing his porch, in the confines of his home that gunmen fired the shot that snuffed out his earnest and effective career. He fell of the assassin's bullet in the bloom of life at the high tide of his triumph, but his work goes on.

Such a method of getting even with somebody whom we envy or with whom we disagree is the lowest and most brutal type of reprisal. It is indeed to be regretted that such an example is flung before other weak minds who may be jealous of the fine movement or nursing a personal grudge.

But the fine type of higher education in this great state will go on. Professor Van Buren's wife and small children have our heartfelt sympathy. Too soon their sponsor has been called to his reward.

Let no stone be left unturned to uncover the dirty plot and the cowardly gangsters who sulk in the dark and seek to do by foul means what they have no hope of attaining above board.

Homicide Toll Now

At 71

Man Is Shot,

Woman Stabbed

To Death

Two slayings, one early Wednesday morning and another late Tuesday night, pushed the colored homicide total for the year to 71.

Manuel Glover, 31, of 514 Strong street, NW, was shot to death at 12:30 o'clock Wednesday morning in front of 921 Grove street, NW, police reported.

Glover's slayer left the scene in a private taxicab, witnesses to the shooting told investigating officers. Police launched a search for a man known as Bill Armstrong, of a Third street, NW, address, but before beginning the hunt arrested two women named as the wanted man's wife and aunt, it was reported.

WOMEN ARRESTED

The arrested women were listed by officers as Mrs. Elizabeth Burgess, the aunt, of 1107 Holly street, NW, and the wife, Mrs. Louise Armstrong. Both women were booked on suspicion.

The two women were alleged to have been in the taxicab with Armstrong following the shooting.

Eleven witnesses to the shooting were quoted by investigating officers as saying the wanted man and the victim engaged in an argument and that the accused slayer slapped Glover and told him "don't start anything with me."

Glover turned and walked away, the witnesses were quoted as saying, and when he did this, the gun wielder shot the victim in his back. A second shot fired at Glover went wild, it was declared.

Howard Lewis, 30, of 59 Bradley street, SE, was arrested around midnight Tuesday at Grady hospital and booked at city jail on suspicion of slaying Miss Fannie Mae Moore, 25, of 61 Bradley street, SE.

FOUND AT GRADY

Lewis was reported found at the Grady clinic receiving first aid for a wound he declared he received with an ice pick. Miss Moore was dead on arrival at Grady, having died of a knife wound of her chest.

Three witnesses to the fatal stabbing told City Officers W. F. Jones and C. H. Allen that Lewis went into the young woman's room and asked for some gifts he had given her. An argument followed, with Lewis losing his temper, the witnesses told officers.

Lewis is alleged to have pulled out a knife and stabbed the victim.

NEGRO CHARGED IN BOY'S DEATH

Case Develops After Blow on
Head Proves Fatal

(Telegraph's Georgia News Service)
MOUNT VERNON, Oct. 4.—Nathaniel Jackson, 12-year-old Negro, was being held in the Mount Vernon jail tonight charged with murder following an altercation which resulted with the death of a white boy Sunday.

The Negro and several white boys figured in the affair and Jack Benton, 15, was struck on the head with a stick at that time. He died in a Dublin hospital Monday with a fractured skull.

Mayor B. A. Greene Pushing Mound Bayou Murder Probe

By TELEPHONE

MEMPHIS, Tenn.—(SNS)—

"The people of Mound Bayou regard the killing of Miss Estella Montgomery as an outrage," Honorable Benjamin A. Greene, Mayor of the all-colored town, told the Memphis World by telephone this week, and added, "Feeling has been running high ever since this tragic occurrence but I am pushing investigation of the case under the direction of District Attorney Rice Stayer of Clarksdale, Miss., and expect to clear up every circumstance surrounding the death of Miss Montgomery."

Memphis, key city of the Delta and present home of hundreds of former Mound Bayou residents, has been and is profoundly shocked over the violent death of one of the town's best known women. Over the weekend the Memphis World received numerous calls regarding the case, and learned that a number of persons returned to the community to get first hand information and join in any form of investigation that will shed further light or bring guilty individuals to trial.

Mayor Greene asserted that Eugene P. Booze, well known planter and political leader and brother-in-law of the slain woman from whom he had been estranged over a period of years since the death of I. T. Montgomery, co-founder of Mound Bayou, as the result of the Montgomery estate, did not consult local authorities in his effort to evict Miss Estella Montgomery from the old homestead but went directly to Bolivar County officers. There was absolutely nothing in the nature of Miss Montgomery's act for such drastic steps to be taken, the Mayor asserted. Booze showed a wilful and flagrant disrespect for local law enforcing agents, he added.

No arrest had been made as late as Tuesday of this week, Mayor Greene asserted. Asked about the general attitude toward Mr. Booze in the community, he stated that no attempts had been made to do bodily harm to Mr. Booze, but he understands that he (Booze) has several body-guards stationed near his home.

Mr. Booze, since the slaying of Miss Montgomery, has not issued a public statement. Mayor Greene

said. Mrs. Mary Booze, wife, and master of the slain woman, has remained absolutely silent in the whole matter, he asserted.

Thursday night of this week, citizens of Mound Bayou and its immediate vicinity were scheduled to hold a big mass meeting at the Bethel church, vigorously protesting what they consider an outrage and a national scandal on the town.

Miss Montgomery was shot nine times on Sunday, October 1, around midnight by deputy sheriffs from Cleveland, Miss. According to reports, Miss Montgomery, who had been living in St. Louis, Mo., during recent years, returned to Mound Bayou, on the advice of her lawyer, to take up domicile at the old Montgomery homestead which Mr. Booze had purchased following the death of I. T. Montgomery and decided to his daughter. The woman remained in her upstairs apartment all day Sunday, October 1. When the officers came to the house around midnight, led by Mr. Booze, she is said to have been locked in her room. She refused to admit them into her room. They crashed the door. The officers shot the women, they claimed, after she made an attempt to attack them with a butcher knife.

It is also reported that because of the long standing feud between Eugene P. Booze and Estella Montgomery, the former succeeded in getting a court order forbidding her to ever return to Bolivar County. Coming to Mound Bayou from St. Louis, Mo., was considered by Booze a violation of that order. Miss Montgomery's contention was that she and her sisters had been defrauded by her brother-in-law, E. P. Booze of their home.

Funeral services for the slain woman were held Sunday, October 3th, attended by several thousand persons, but the remains were not interred because of pending outcome of investigation of the case.

Funeral eulogies and expressions reflected the feeling of the community.

In a signed article by Evelyn McGhee Humes appearing in the Delta Leader, these words were expressed:

"Mr. Bayou, town of your birth—girlhood, and maturity, turned out en masse Sunday to pay their last

respect to you, Estella Montgomery, daughter of a founder, slain in the house which he built. The occasion would ordinarily have been one of sadness for you were beloved as your father was loved. But, the abruptness of your death cast a pall of horror as well as a shadow of grief, for death, in its most peaceful form is feared, always.

As you lay upon your couch of satin and lace, sorrowing friends silently wept because you had left them. Your sisters were pitiful in their grief for the strongest link in that chain was broken. Eva and Lillie were there. Your sister, Mary, and her husband, Eugene, were conspicuous in their absence. But how could it be otherwise? Your son was there and your lifelong friends. The curious came too, to see and hear."

Do You Remember The Claude Neal Case Of '35?

They Wouldn't Invoke the Lindbergh Law Then, But Now Georgia Is Seeking to Have Man Returned From N. Y. Under That Law.

NEW YORK, Mar. 16 — The State of Georgia is seeking to use the Lindbergh law to force the return of John Ryals to Georgia from New York City on a charge of murder. The action is being fought by five Negro lawyers here, Vernal J. Williams, Lucius Delany, John Lewis, Edward A. Watts and Darwin Telford.

The National Association for the Advancement of Colored People points out that when it sought to have the Lindbergh law used in 1935 against the lynchers of Claude Neal, the then Attorney General Homer S. Cummings refused to act. A mob left Marianna, Fla., and drove 200 miles to Brewton, Ala., removed Neal from jail, motored back to Marianna, and lynched him.

Ryals maintains that he acted in self defense in a fight with his landlord, and that he hid in a swamp for several days before escaping to New York while a mob hunted him to lynch him. His lawyers claim that if he is returned to Georgia, he will be lynched "without question." Further hearing on the Ryals case will be held March 23.

"GEORGIA NOT CIVILIZED!"

Ryals Case in New York

New York—The ghost of Claude Neal, 23 year old victim of one of America's most sordid lynchings, moved under the shadow of the Lindbergh kidnaping law here yesterday in the tense atmosphere of Commissioner Isaac Platt's crowded, low-ceilinged courtroom in the Federal building.

It was back in October, 1934, that Neal, a resident of Greenwood, Fla., was arrested by Deputy Sheriff J. P. Couliette, for the murder of 20 year old Lola Cannidy, also a resident of Greenwood. Fearing the onslaught of a bloodthirsty mob, jail officials moved him more than 200 miles across the state line to the jail at Brewton, Ala., for safe keeping. This same mob stormed the jail at Brewton, carried their victim back into Marianna, Fla., where he was lynched in one of the most revolting scenes in the annals of United States crime.

The National Association for the Advancement of Colored People sought to have the then United States Attorney General, Homer Cummings, invoke the Lindbergh law, which makes it a federal offense for a person suspected of rape, kidnaping or murder to cross a state line. Cummings declined, giving as his reason the fact that no ransom was asked.

March 23 the state of Georgia sought to invoke this law in the case of John Ryals, a tenant farmer, wanted by that state on the charge of murdering his white plantation boss, in June, 1937. New York's Governor Herbert Lehman had refused to sign extradition papers.

Flanked by a battery of attorneys who have succeeded in keeping this father of five children in Harlem, where he fled a year ago in fear of his life, Ryals heard Vernal Williams, chief counsel say:

"This is by no means an ordinary case. We want to keep this man, who is the victim of a distorted interpretation of the Lindbergh law out of Georgia, where he will be lynched if he returns, because we black people

do not consider Georgia a civilized part of this Republic."

Ryals had left the plantation in Effingham County, Georgia, following an argument with his overseer, U. L. Ellsey over a runaway mule. He is said to have cut Ellsey on the arm during a scuffle. Several weeks later Ellsey died from the effects of diabetes, according to reliable reports. It was then that Georgia officials sought to bring Ryals back from New York to stand trial for murder.

After hearing arguments from both sides, Commissioner Platt reserved decision, pending the filing of briefs by defense counsel.

NEGRO IS ARRESTED

IN BRUTAL SLAYING

Suspect in Bartow Killing Brought to Atlanta for Safe-Keeping.

SPECIAL TO THE CONSTITUTION. CARTERSVILLE, Ga., Nov. 6.—Sheriff George Gaddis this afternoon said a negro listed at Tump Gordon, charged with murder and robbery in connection with the brutal slaying of J. Z. Oglesby, 72-year-old Bartow county storekeeper, had been taken to an Atlanta jail "for safekeeping."

The sheriff said a blood-stained shirt and clothing belonging to Oglesby were found in the negro's home near the scene of the slaying.

Oglesby's body with cuts about the face, throat and hands, was found yesterday afternoon when friends from Rome, with whom he had planned to spend Sunday, went to his quarters in the rear of his store two miles from Kingston, to investigate. His wife died about a year ago, and he lived alone.

Daily newspapers for three days, weighted down with a stone on the store's doorstep, indicated Oglesby had been slain sometime Thursday night or Friday.

Among survivors are a sister, Mrs. Frank McClung, of Atlanta; a niece, Mrs. Besie Carroll, also of Atlanta and a nephew, Edgar Anderson, of near Smyrna.

Rites were held today in a Ma-

rietta chapel, with burial in Lemons district of Cobb county, Oglesby's birthplace.

Pleads Guilty, Gets Life Term In Penitentiary

Bull Armstrong entered a plea of guilty in Fulton Superior Court Monday to the killing of Emanuel Glover and was sentenced to serve the remainder of his natural life in penal confinement.

Armstrong admitted shooting Glover to death on October 4. According to his own statements there had been trouble over a woman. He met Glover and slapped him, knocking the latter's hat off his head. When Glover remarked that he didn't wish to have any trouble with Armstrong and reached to the floor to get his cap, he was shot, dying almost instant-

Believes There Are More Intelligent Ways of Achieving Aims of Organization—Admits Jews Have Equal Rights Under the Constitution.

ATLANTA, Ga., Nov. 30—Announcement has been made by Imperial Wizard J. A. Colescott that the parading of white robed and masked figures through Negro residential sections in this or any other State where the Ku Klux Klan maintains an organization and the Catholic Church, he as burning of "fiery crosses" and other rites, he would be in favor of such intimidation measures, will it disbanding.

Though he made no mention of the fact that the former crusade was also directed against Negroes and did not refer further to anti-Catholicism, he stressed the point that so far as the Klan is concerned Jews have equal rights under the Federal constitution, this be employed by Americans to solve the Klan's assertion being made in connection with the statement that he revert to its former policy of crusading against alienism, Jews men of "selling out" to the Jews.

"White Robes, Fiery Crosses," New Klan Leader Says To Be Taboo,

Do You Remember The Claude Neal Case Of '35?

They Wouldn't Invoke the Lindbergh Law Then, But Now Georgia Is Seeking to Have Man Returned From N. Y. Under That Law.

NEW YORK, Mar. 16 — The State of Georgia is seeking to use the Lindbergh law to force the return of John Ryals to Georgia from New York City on a charge of murder. The action is being fought by two Negro lawyers here, Vernal J. Williams, Julius Delany, John Lewis, Edward A. Watts and Darwin T. Ford.

The National Association for the Advancement of Colored People points out that when it sought to have the Lindbergh law used in 1935 against the lynchers of Claude Neal, the then Attorney General Homer S. Cummings refused to act. A mob left Marianna, Fla., and drove 200 miles to Brewton, Ala., removed Neal from jail, motored back to Marianna, and lynched him.

Ryals maintains that he acted in self defense in a fight with his landlord, and that he hid in a swamp for several days before escaping to New York while a mob hunted him to lynch him. His lawyers claim that if he is returned to Georgia, he will be lynched "without question." Further hearing on the Ryals case will be held March 23.

"GEORGIA NOT CIVILIZED!"

Ryals Case in New York

New York—The ghost of Claude Neal, 23 year old victim of one of the most sordid lynchings, America's most sordid lynchings, moved under the shadow of the Lindbergh kidnapping law here yesterday in the tenth anniversary of Commissioner Isaac Platt's crowding of a crowded courtroom in the Federal building.

"This is by no means an ordinary case. We want to keep this man, who is the victim of a distorted interpretation of the Lindbergh law out of Georgia, where he will be lynched if he returns, because we black people

do not consider Georgia a civilized part of this Republic."

Ryals had left the plantation in Birmingham County, Georgia, following an argument with his overseer, U. L. Ellsey over a runaway mule. He is said to have cut Ellsey on the arm during a scuffle. Several weeks later Ellsey died from the effects of diabetes, according to reliable reports.

It was then that Georgia officials sought to bring Ryals back from New York to stand trial for murder. After hearing arguments from both sides, Commissioner Platt reserved decision, pending the filing of briefs by defense counsel.

NEGRO IS ARRESTED

IN BRUTAL SLAYING

Suspect in Bartow Killing Brought to Atlanta for Safe-Keeping.

Special to THE CONSTITUTION, CARTERSVILLE, Ga., Nov. 6.—

Sheriff George Gaddis this afternoon said a negro listed at Tump Gordon, charged with murder and robbery in connection with the brutal slaying of J. Z. Oglesby, 72-year-old Bartow county storekeeper, had been taken to an Atlanta jail "for safekeeping."

The sheriff said a blood-stained shirt and clothing belonging to Oglesby were found in the negro's home. The state of Georgia is seeking to have the then United States Attorney General, Homer Cummings, invoke the Lindbergh law, which makes it a federal offense for a person suspected of rape, kidnapping or murder to cross a state line. Cummings declined, giving as his reason the fact that no ransom was asked.

March 23 the state of Georgia sought to invoke this law in the case of John Ryals, a tenant farmer, wanted by that state on the charge of murdering his white plantation boss, in June, 1937. New York's Governor Herbert Lehman had refused to sign extradition papers.

Planked by a battery of attorneys who have succeeded in keeping this father of five children in Harlem, Neal, 23 year old victim of one of the most sordid lynchings, America's most sordid lynchings, moved under the shadow of the Lindbergh kidnapping law here yesterday in the tenth anniversary of Commissioner Isaac Platt's crowding of a crowded courtroom in the Federal building.

"This is by no means an ordinary case. We want to keep this man, who is the victim of a distorted interpretation of the Lindbergh law out of Georgia, where he will be lynched if he returns, because we black people

do not consider Georgia a civilized part of this Republic."

rietta chapel, with burial in Lemons district of Cobb county, Oglesby's birthplace.

Pleads Guilty,

Gets Life Term In Penitentiary

Bull Armstrong entered a plea of guilty in Fulton Superior Court Monday to the killing of Emanuel Glover and was sentenced to serve the remainder of his natural life in penal confinement.

Armstrong admitted snooling Glover to death on October 4. According to his own statements there had been trouble over a woman. He met Glover and slapped him, knocking the latter's hat off his head. When Glover remarked that he didn't wish to have any trouble with Armstrong and reached to the floor to get his cap, he was shot, dying almost instantly.

"White Robes, Fiery Crosses, Parades To Be Taboo," New Klan Leader Says

Believes There Are More Intelligent Ways of Achieving Aims of Organization—Admits Jews Have Equal Rights Under the Constitution.

ATLANTA, Ga., Nov. 30—Announcement has been made by Imperial Wizard J. A. Colescott that the parading of white robed and masked figures through Negro residential sections in this or any other State where the Ku Klux Klan maintains an organization and the Catholic Church, he asserted, he would be in favor of its disbanding. Though he made no mention of the fact that the former crusade was also directed against Negroes and did not refer further to anti-Catholicism, he stressed the point that so far as the Klan is concerned Jews have equal rights under the Federal constitution, this assertion being made in connection with the statement that he had been accused by some Klansmen of "selling out" to the Jews.

Referring obscurely to the "handling of such problems," he declared there are more intelligent ways than intimidation that may be employed by Americans to solve them. Rather than see the Klan revert to its former policy of crusading against alienism, Jews

Georgia Justice And Ryals

Up in Harlem altruistic Negroes are raising a defense fund to prevent the return of John Ryals to Georgia where he is wanted for the alleged murder of his employer.

Governor Lehman has refused to honor a requisition sent him by the Governor of our state for Ryals' return. Now the Federal Government has stepped into the case and is attempting to invoke the Lindbergh law to return Ryals to Georgia.

Ryals is from a little one-horse town a few miles from our own city, a town just like all other Georgia towns where Negroes are concerned. It is hard enough for a Negro to get justice in Savannah and Atlanta, not to mention the little towns where justice for the Negro is as scarce as hen teeth. If the Federal Government succeeds in having Ryals returned, he will be returned to sure death, either a legal death or one by a mob, this irrespective of the circumstances in the case. Even if he is innocent, it won't mean a thing to those one-track minded farmers.

A Negro in some of the little towns in Georgia hasn't got as much chance as a rattlesnake. Just last week we carried a story of the lynching of a Negro at Woodcliff, Georgia, a town something similar to the town Ryals is from, and that Negro was lynched for the commission of no crime at all. Now if they lynch one for nothing, God knows what they will do to Ryals whom they claim killed a white man.

We congratulate the Negroes in Harlem and wish them luck. All we can say is: they know their Georgia.

Race Slayings In Atlanta At 37 For Year

The fatal stabbing Sunday night of a youth listed as Lloyd Mathews, 19, of a Walnut street address, was reported to police. The victim was reported stabbed in the heart at the corner of Mitchell and Davis streets.

City policemen started a search for a youth known by the name of "Harvey". Witnesses informed investigating officers that "Harvey" chased the victim down Davis street and stabbed the youth when Mathews stumbled and fell.

The killing was the outgrowth of both men admiring the same young lady, police were informed. The slaying marked the 37th of the year.

Shot down around midnight Saturday while standing at the corner of Piedmont avenue and Cain street, a man listed as Jimmie Cleveland, of 75 Piedmont Avenue, N.E., was pronounced dead on ar-

37 rival at Grady hospital. According to police reports, witnesses stated that the deceased man was standing at the corner of Piedmont and Cain street talking to another man.

Witnesses to the shooting declared that the assailant produced a pistol and fired twice at Cleveland. The victim attempted to run, but one of the bullets struck him in the chest.

Investigating officer stated that when they reached the scene the victim had already been rushed to Grady hospital by Lieutenant R. H. McLean of the police department.

Listed as eye-witnesses to the shooting are Walter Moment of 157 Cain street, Wilton Watson of 159 Piedmont avenue, and Milton Harrington of 194 Piedmont avenue.

Police Victim Dies; Eleventh City Homicide

Shot by Officer V. H. Whitley late Sunday evening, a man listed as Willie Hambrick of 968 Martin Street, died at Grady hospital a few hours later.

According to police records, Officers Whitley and Palmer answered a call to Mary and Hubbard Streets where a man was reported driving and auto under the influence of whiskey.

Upon reaching the scene, the officers stated that they spotted Hambrick driving a car down Mary street. Officer Whitley stated that he got out of his car and stopped the machine which Hambrick was driving and then took him out.

At this juncture the officers reported that Hambrick attacked Officer Palmer, knocking him down and started running.

Officer Whitley stated that he commanded the fleeing man to halt and fired once in the air to frighten him, but after he refused to heed the warning, the officer reported that he fired again, with the bullet taking effect in the victim's head.

Following this, the wounded man was rushed to Grady hospital where he died shortly afterwards. Lieutenants McLean and Malcomb, and Officers Vaughn and Meek were listed as witnesses to the incident.

NEGRO SLAYER

ELECTROCUTED

Clarence Sheffield Dies for Double Killing

(Telegraph's Georgia News Service) REIDSVILLE, Sept. 29—Clarence Sheffield, 36-year-old Negro, was electrocuted at the Georgia state prison here this morning for the murder of two Negroes in Ware county last April.

Sheffield was strapped in the chair at 11:20 and he was pronounced dead by two physicians at 11:26.

Father Brannen, Catholic priest of Savannah, accompanied Sheffield to the chair and attended him at the chair, having previously baptized him into the Catholic faith.

LAURENS TO SEEK RETURN OF NEGRO

Sheriff Coleman Believes Man in Ohio May Be One Sought for Crime in 1937

(Telegraph's Georgia News Service) DUBLIN, Oct. 2—Laurens County Sheriff I. F. Coleman said today Governor Rivers would be requested to seek extradition of a Negro held in Youngstown, Ohio, and listed as Fred Anderson, alias Johnnie Lee Jones, 22, for trial here in the slaying of a white youth two years ago.

The youth, A. J. Page, 19, Rockledge, was shot to death on a crowded downtown street here on Saturday night, July 10, 1937. A companion, Lyman Smith, 19, Rockledge, was seriously wounded.

Deputy Sheriff A. W. Dominy was dispatched to Atlanta this afternoon to present the petition to the governor, and was expected to proceed to Youngstown tomorrow if the extradition request is made.

The Negro held in the Ohio city was identified here from photographs made by Youngstown police, Sheriff Coleman said.

He was arrested upon request of the local officer.

Youngstown police quoted the Negro as admitting he was a native of Dodge county, neighboring Laurens, but denied he had been in Georgia for the past six years.

Deputy Dominy was accompanied by H. D. Evans, woods-rider for a Kentz turpentine firm, which allegedly employed the Negro prior to the shooting. Mr. Evans was the one who made the identification.

Violence Killings

Show Increase During Year 1939

The year 1939 saw nine more colored persons killed in violence than in 1938. A total of 89 persons died after being shot or stabbed during the past year, while 80 persons died from the same causes in 1938. The 1939 total was 25 less than the 114 who were killed in 1937 and 39 less than in 1936 and 42 less than those who died violently in 1935.

Denies All Guilt In Statement

1-22-39
Says He's

Innocent As
New-Born Babe

BULLETIN

BRUNSWICK, Ga.—(SNS)

—After debating the evidence for five hours without reaching an agreement, the jury in the George Cleyborn case here was ordered locked up for the weekend in a local hotel room shortly after 12 o'clock Sunday morning. Deliberations will be resumed Monday, it was announced.

BRUNSWICK, Ga.—(SNS)

—A Glynn County jury last night was considering the fate of George Cleyborn, resort worker, accused in the slaying of Dr. Charles H. Lee, white Episcopal rector.

Cleyborn had told an attentive court Friday that he was as "innocent as a new-born babe." He pleaded with the jury that he didn't "know anything about the killing," and "If you convict me you convict an innocent man."

The testimony against Cleyborn came to a dramatic close Saturday afternoon. Closing arguments of counsel began after the morning had been given over largely to rebuttal witnesses for the state.

INTRODUCE 8 PISTOLS

Part of this rebuttal added to the veritable arsenal which the jury had upon retirement, Friday, the defense introduced eight pistols which were shown by demonstration were incapable of firing both lead and steel-jacketed bullets, it having been previously brought out that the two shots fired at Dr. Lee were of these two types.

Saturday, the state offered seven more pistols and showed these guns would fire both types of bul-

lets.

The state sought to further strengthen its case by the testimony of two police officers who arrested H. J. Cofer, one of the two white resort owners who are indicted with Cleyborn in the slaying. The officers said Mrs. Cofer was present and asked, "Are they going to get Henry (W. H. Cofer), too?"

STATE RESTS CASE

The state rested its case largely on testimony concerning Cleyborn's statement of guilt and testimony by Mrs. Carrie Stevens, white paroled convict, that she saw H. J. Cofer pay the defendant \$150 "to do the job." It was claimed by some of the state witnesses that Cleyborn orally reaffirmed his guilt after repudiating the written statement.

Defense counsel ended its presentations with more attacks on the character of the state's star witness, Mrs. Carrie Stevens, and the credibility of her story. George Cowart, chief attorney for Cleyborn, consistently sought to establish Grady Stevens, white, husband of the woman testifier, as the killer of the vice crusading rector of historic Christ Church.

Concerning Cleyborn's alleged "confession," the defense contended that it was secured "under duress."

Henry Cofer, one of the accused, testified he and Dr. Lee had always been on friendly terms and that his wife and children were members of the Christ Church congregation.

COFER NOT AT KILLING

Frank Cofer, the other white suspect, and brother of Henry, and E. B. Lewis, white, both employees of the "Brass Rail," owned by the Cofers, said from the stand that Henry Cofer was at the place of business until after midnight on the night of the slaying.

Defense witnesses declared Cleyborn did not have enough money to play slot machines in the days following the shooting.

The reputation of Mrs. Stevens, who largely contributed the Cleyborn's and the Cofers' arrest, was attacked by defense witnesses at several points in the trial. Several Macon policemen testified the woman's reputation was bad and that they would not believe her under oath.

She and her husband pleaded guilty to a burglary charge, a few days after they were exonerated in a police hearing as suspects in the Lee killing. Defense witnesses said Stevens left the Cofers' establishment the night the 71-year-old rector was slain and that he returned around 11:15 P.M., "blowing and out of breath."

Dr. Lee was shot by an assailant who stood outside a rectory window on the night of February 5, 1938, as he sat preparing a sermon.

KILLINGS - 1939

Reprints From Charleston Lighthouse

THIS KILLING BUSINESS

We raise our voice against a grave and serious situation that strikes at all of our progressive efforts. The past weeks have been crammed full of killings and homicides. The number is alarming. Unless they are stopped immediately serious reprisals can be expected. None of us can say who is next. And no matter the guilty persons, all are made to suffer and bear the blame alike.

Not only does the condition grieve and sadden us but we are actually disgusted with the carrying-on of some of our people. Some of them are such weak irresponsible fools. The motives behind these killings are so frail and simple that even a savage could do better. One might rightly ask the question: Are we worse than savages? Are we so important that we have more right to life and its joys than our brothers?

Already some of our critics have joyfully grabbed at the opportunity to point out that within the past two months more Negroes have been killed here by other Negroes than the total number of Negroes lynched in the whole country last year. A bitter but true fact strikes back at our attempts to pass through congress laws which would protect our people.

In our opinion that the law is too lenient in some cases in cases in which whites the murdered, Negroes pay with their lives. In all colored cases no one cares and no one pays much. This was all summed up last summer during an all colored case in which the solicitor is alleged to have said in discussing the case, "Oh, well, they are just darkies." But it should not be so easy to kill. The law should mete out severe punishment.

Nothing could please us more than to see all our ministers, professionals, social workers and every other person unite their effort in killing this killing business. It is a question of of stop killing or being killed. This can be done by sponsoring an anti-crime program, providing greater and better play areas, having removed all dangerous weapons, even from stores selling them for any purpose. The good so accomplished would be unlimited. Further, we believe the slightest violator of another person should be made to pay dearly.

We would gladly support any effort of this nature. We would make reason superior to emotion. We would have offender severely punished.

GEORGIA

SHOOTING ENDS PITCHED FIGHT AT DANCE HALL

Ill Feelings Between Two
Factions Climaxed

With Killing

CARNESVILLE, Ga., July

21—A CCC enrollee lay dead as the local sheriff marched 50 persons off to jail following a dance hall brawl here Monday night in which residents of Royston and members of the CCC camp engaged.

The victim, Briscoe Ingram, who was struck by a bullet, died on the scene.

The pitched battle saw the employment of guns, knives, sticks and rocks at a dance hall on the outskirts of Royston.

Sheriff Andrews said 47 of those arrested were enrollees of CCC camp, located near Royston, held on disorder charges, and the other three are Royston residents held in connection with the fatal shooting.

Ordered Away

The battle was reportedly the outgrowth of bad feeling which had existed between the Royston group and the CCC enrollees for several weeks. Saturday night, several of the enrollees had "made trouble" at the dance hall and had been ordered away, it was stated. Later that night about twenty of the enrollees returned in a truck and again were ordered away after an argument. The enrollees then allegedly increased in number to about 75 and returned early Sunday to fight with the Royston group, which numbered about 20, the sheriff reported.

Carry Knives

The law enforcement officer said he and his men "took from 30 to 35 butcher knives from the arrested

members of the Race."

The CCC camp was established near Royston about two months ago, it was stated.

Struck on the head with a rock when he attempted to quiet the combatants was Sheriff Andrews' son, James Marvin, 17, who frequently assists his father in his work. His injuries were slight, it was learned.

"About 40 of the arrested youths told me Monday they wanted to plead guilty to charges of disorderly conduct," Sheriff Andrews stated.

Solicitor General A. S. Skelton, of Hartwell, was expected to arrive this week to aid in disposing of the cases.

Anderson, S. C. Independent Trib-
July 12, 1939

NEGROES TURNED OVER TO CCC CAMP

47 Enrollees At Government
Camp Near Royston Put In
Custody Of Federal Author-
ities After Fatal Melee —

ROYSTON, Ga., July 11—Forty-seven negro CCC enrollees held in the Franklin county jail at Carnesville following an outbreak here Sunday night when one negro was killed were today turned over to authorities of the CCC camp near here.

Capt. J. M. Emigh of Fort McPherson has been called to conduct an investigation of the incident for the government.

Three Royston negroes remain in jail in connection with the death of Briscoe Ingram, 19, CCC enrollee from Eatonton.

Sheriff T. W. Andrews said about 40 of the CCC members wanted to plead guilty to charges of disorderly conduct. Solicitor General A. S. Skelton of Hartwell was here today in connection with the case, unusual in this section.

Guns, knives, sticks and rocks, the sheriff said, were used in the fight, which occurred on the outskirts of Royston. The sheriff's force confiscated 30 to 35 butchers knives and pocket knives.

Sheriff Andrews said the melee apparently grew out of "bad feeling" existing several weeks between the CCC members and a group of Royston negroes.

Andrews reported his 17-year-old son, Marvin, was injured slightly when struck in the back of the head with a rock as he aided in quelling the disturbance.

Woman Admits Slaying; Must Serve 2 Years

12-12-39
A woman listed as Frances Lee Jones pleaded guilty to voluntary manslaughter in Fulton Superior Court Monday morning and was meted a penal sentence of from two-to-five years.

Judge Virlyn B. Moore passed sentence upon the woman after she voluntarily stabbed to death Rosa Thomas on November 11, after the latter had given her cause to do so. She had been indicted for murder, but defense and prosecution lawyers agreed to the voluntary manslaughter guilty plea.

TWINS PLEAD GUILTY

Three brothers, two of them twins, pleaded guilty to burglary in Judge Moore's court. The brothers were listed as Franklin and Frank Bennett, 19, and Abner Bennett, 18.

Judge Moore suspended the sentence of Abner and meted the twins six months each.

The brothers were accused of the November 10 burglary of the dwelling house of George Halpin white, of a Gordon Street, S. W., address. Clothing of a value of \$12.50 was taken.

Negress Is Hunted In Fitzgerald Case

(Telegraph's Georgia News Service)
FITZGERALD, Dec. 16 — Marie Shaw, Negress, is dead and her alleged assailant, Lucile Marks, also a Negress, is at large following an altercation in the Marks woman's home early last night, according to Chief of Police Gordon Roberts who stated that apparently two shots from a .22 pistol had taken effect in the neck and chest.

12-17-39
With the arrival of the police, the Shaw woman was dead and the Marks woman had made good her escape.

No cause for the shooting was given by the police other than that there was enmity between the women of perhaps long standing and that the shooting was the culmination of other misunderstandings.

Mrs. Tillie Griffin Testifies That Frankie Baker Regretted Shooting, But Had to Act in Self-Defense

One of the few persons still living who heard the shot that was actually echoed around the world said last Friday afternoon that Frankie Baker was still regarded as a respectable woman after fatally shooting her lover, Allen Britt, early one October morning in 1899. *The Call-Kansas City Mo. 11-3-39*

This person was the Rev. Mrs. Tillie Griffin, 4019 Finney avenue, whose deposition was taken last week by attorneys in the \$200,000 suit which Frankie Baker has instituted against the St. Louis distributors of Republic Pictures for circulating a cinema—"Frankie and Johnnie"—which she claims invaded her privacy and defamed her character. Mrs. Griffin said Frankie Baker regretted the killing of Britt but that she did it in self defense and said at the time Al would have harmed her if she hadn't beat him to it.

Both Frankie Baker and Mrs. Griffin lived in the same house on Targee street back in 1899. Mrs. Griffin moved into 214 Targee in about June of that year. She could not remember whether or not Miss Baker was already in the house when she moved in. Frankie Baker lived at 212a Targee street but she had to go through the gangway beside Mrs. Griffin's house to get to her quarters. Although Mrs. Griffin was older than Frankie Baker, the two were quite friendly neighbors.

Heard Shot

On the night of the fatal shooting of Allen Britt, Mrs. Griffin said she and her husband—George Griffin who died in 1913—had just returned from church and she is of the opinion it was a Sunday night. Just after the Griffin's had retired, the peace and calm of the night was disturbed by a single shot and a blood-curdling scream. Then hurried footsteps down the steps from Frankie Baker's house through the gangway and out in- to Targee street.

Mrs. Griffin hurriedly threw a piece of clothing around her and rushed out into the gangway. There on the stair, preparing to descend, was Frankie Baker. She

asked if Frankie Baker wore any fine clothes, Mrs. Griffin replied. "They were all wearing calico dresses. I know because I made them. We wore no silk."

She said Frankie did not hang around night clubs and didn't run around with a lot of men and no "sporting people" lived on Targee street.

"If there were any sporting people on the street," she added, they just lived there because they didn't do any sporting there."

Asked what kind of a girl she thought Frankie Baker to be, Mrs. Griffin said "She seemed to be very fine girl. I think her mother had died and she was living with her grandmother before she came to live on her own on Targee street."

The grandmother, a Mrs. Lucas lived "out on" Leonard. Frankie was about 14 or 15 years old when her mother died and she went to live with her grandmother. Her three brothers, Arthur, Charley and Jimmie, also lived at the grandmother's house. Charley, who was staying with Frankie on Targee street at the time of the "incident", is the only living witness to the shooting of Allen Britt. He is said to reside somewhere in California.

Has Never Seen It

When questioned about the song, "Frankie and Johnnie," Mrs. Griffin said she did not recall ever seeing a copy of it but had heard it sung by children on the street and had been told there was such a song. She said the original version concerned Frankie and Al but the Britt family objected so strongly that Al was dropped for Johnnie.

One of the reasons she had never heard the song was because she did not frequent bar places and the like where the song was sung.

The 73-year-old woman who was born near Seventh and Carr and who has become a potent force in the civic life of the city, named Mayor Bernard F. Dickman as a "dear friend" and corrected Defense Attorney Monig stating she had been a Republican "until my eyes were opened."

After the shooting of Allen Britt, Frankie Baker moved to 1520 Chestnut where she was again a neighbor of Mrs. Griffin who had moved to 1518 a few months previously. On July 4, 1900, Frankie left St. Louis for Kansas City where she stayed for about two years or more and then she moved to Omaha where she lived for probably four or five years before going to Portland, Ore.

Also living with Frankie Baker at the time of the shooting was a girl by the name of Pansy, but Mrs. Griffin could not remember her last name nor what became of her. The last time Mrs. Griffin has seen Frankie Baker was about 10 or 15 years ago when the woman came here for the funeral of her brother, Jimmie. She has corresponded with her at intervals since the woman left here.

Miss Baker, who now runs a shoe shine parlor in Portland, Ore., will probably return to St. Louis the first of December.



MRS. TILLIE GRIFFIN

KILLINGS - 1939

Walter Kelly Gang Victim In Chicago

**Negro Underworld King
Shot Sitting In His Ex-
pensive Sedan**

SEEKING

CLUES

**Dead Man Was Fight-
ing Attempt To Steal
Numbers Domain**

CHICAGO, Jan. 24.—(ANP)—Four shot gun blasts brought death, Sunday night, to Walter J. Kelly, 38, who with his brother, Ily Kelly, dominated the policy game racket in Chicago and nearby Gary, Ind. Kelly was executed as he sat in his sedan in front of a hotel near 31st and Michigan.

Motive for the execution and identity of the murderers in this city noted for its gangland deaths are a mystery but several theories have been advanced, the most prominent being:

1. For four years Kelly, daring Negro sportsman, had dominated the policy racket in Gary, dealing ruthlessly with those who did not obey his wishes. But a new and unfriendly city administration took office last week, and orders went out to "clamp on the lid". One theory is that Kelly, forced out of the policy racket, was trying to "muscle in" in another racket or take his lottery operations to another city.

2. In Chicago, Ily, reported to be head of the policy syndicate, was allegedly being forced out of control by other powerful interests. But Walter loyal to his brother, was waging a heated fight in his behalf, and thus incurred the enmity of these interests.

Holdup Angle

3. Recently several policy headquarters have been held up and thousands of dollars taken. None of these robberies was reported to police. A clue to his murder may be found among these holdups.

Kelly, accompanied by his bodyguard, Sonny Williams, motored in Sunday afternoon from his home in

Gary. According to Lou Saul Brown, 45, proprietor of the hotel before which the shooting took place, the policy king made a special trip to Chicago to lend him money.

Kelly and a companion, believed to be Williams, had stopped their car in front of Brown's hotel when another sedan came alongside. A shotgun was poked through a rear window. Kelly turned and the gunman fired four times. The death car gathered speed and Kelly slumped down in his seat. His face had been all but torn off by the charges. He died before he could be rushed to Michael Reese hospital.

Slain Chicago Policy Baron Buried In \$5,000.00 Casket Covered With 500 Tea Roses

**Thousands Jam Funeral Home for View of Remains
Of Walter Kelly**

Police Continue to Hunt Slayers

CHICAGO.—(ANP)—His \$5,000 casket covered with 500 tea roses and with a crowd of 5,000 jamming the Charles S. Johnson Funeral Home, and the street outside Walter J. Kelly, Chicago and Gary policy baron who was slain in gangland fashion, was laid to rest Wednesday.

Meanwhile, police are still hunting for the killers who trailed him to a small hotel near 31st and Michigan late Sunday afternoon and blew half his face away with four shots from a shotgun. An inquest, started Tuesday, was continued to January 24.

Many of Chicago's most prominent Southsiders either attended the funeral rites or sent flowers, but most of the policy kings were conspicuous by their absence. Leaders in the racket have not rested easily since Kelly died.

The Rev. C. Austin, noted pastor of the First Baptist church, conducted the services. He spoke eloquently of love and charity and gave high praise to the deceased's large annual philanthropies. And Maurice Cooper, star of "The Mikado," sang "Goin' Home," "The Rosary," and "The End of a Perfect Day." Former Congressman Oscar DePriest led the little group of 200 or less mourners inside the chapel, and among the flowers was a large wreath sent by Joe Louis along with Julian Black and John Roxborough, as well as flowers from some of the area's biggest politicians.

Outside on the street, thousands from both Chicago and Gary mourned his passing. They spoke mainly of the way he had given to charity, told each other how fine a man he was, and said it was a shame that he had to go like that. None condemned him

Ily, and his common-law wife, Ruby, want the police to find out what happened to Walter's bankroll of \$300 seen not more than 15 minutes before his death. Like others in his field, he usually carried big sums of money on his person, and was in the neighborhood of 31st and Indiana to lend \$200 to a friend. The police station report showed him to be penniless. The first persons to handle his body after the murder were policemen.

The theory has been advanced in some quarters that Walter's death may have a hookup with the payment of \$37,000 on the fine owed by Al Capone to the federal government. Capone was reputedly broke, the theory goes, yet this amount was raised. Some believe that henchmen of the former No. 1 gangster levied tribute upon all racketeers in the Chicago area to raise the necessary funds. This, they say, is back of the recent holdups of Southside policy headquarters. Kelly, since he had just been forced out of the game in Gary, his headquarters, may have declined to kick in. Advocates of this possibility point out that Kelly's death was merely one of three gangland murders within a few days, the other victims being white.

Although the race of the slayers is not known, it is generally felt that the murderers were white. At present, other policy barons are installing bullet proof glass in their cars. Had Kelly's machine been so equipped, he might be alive today, since the shotgun was fired through his sedan's side window.

At the same time, testimony was taken from Stanley Oralski, 18-year-old white boy who witnessed the shooting.

"I was standing near Kelly's car when the man shot at him," said the youth, "and fell under the car to save myself. When the killers drove on, I ran away."

Capt. John Cartan of the Pekin Inn police station, said he wanted to question three others when the inquest is reopened. Members of the family including his brother,

HICKS GETS 14 YEARS IN NIXON CASE

Earl Hicks, 18-year-old youth who was indicted with Robert Nixon in the brick slaying of Mrs. Florence Johnson last May, was sentenced to 14 years in the penitentiary last Friday morning by Judge John C. Lewe.

He was given the minimum sentence that can be imposed in a murder case.

Hicks was represented by Atty. Ulysses S. Keys, who re-entered the case at the insistence of the youth. Attorney Keys withdrew from the case rather than represent a defendant whom he thought innocent. He felt that Hicks pleaded guilty to avert the possibility of the death penalty.

Hicks will be eligible for parole in four years. Nixon, his alleged companion in the brick-slaying, awaits the action of the Supreme Court. He was convicted and sentenced to die in the electric chair last August. Seven last-minute reprieves were granted while his attorney, Joseph E. Clayton fought to bring his case before the high tribunal. The Supreme Court's decision in the case is expected sometime this month or early in March.

14 YEARS FOR EARL HICKS IN BRICK - MURDER

Light Sentence Viewed As Consummation Of "Bargain"

"Fourteen years in penal servitude; that is the best I can do for you."

With this sentence Judge John C. Lewe, sitting in Superior court Friday, consummated the alleged "bargain" between the defendant, 18-year-old Earl Hicks, and police prosecutors in the infamous Nixon brick-murder case.

This surprisingly light sentence wrecked plans of head-line hunters and photographers from local daily papers.

The daily press was present with the expectation of hearing Hicks given a life sentence. It came prepared to take hundreds of pictures of a boy it had described as "jungle beast."

The single-paragraph stories which appeared Saturday morning unaccompanied by even one photograph, spoke eloquently of great disappointment.

Sentence Closes 'Deal'

This sentence, absurdly light for a defendant who confessed being an accessory to brutal murder, is accepted in some quarters as substantiating earlier charges that Hicks was innocent. It is cited as proof that he told the truth when he confidentially informed Chicago Defender reporter some months ago that he had promised police to plead guilty if they would stop beating him and save him from the electric chair.

It was on Hick's "confession" that Robert Nixon, 19, was sentenced to death for the murder of Mrs. Florence Johnson, white, May 27. The woman was found beaten to death in bed at her home, 4631 Lake Park avenue.

Hicks, one of hundreds picked up by police as suspects, was taken to Hyde Park station where after being beaten and tortured he said he finally agreed to sign a confession which police put before him.

Admits Innocence Secretly

In the confession, Nixon, also in custody as a suspect, at that time, was described as the youth who climbed in Mrs. Johnson's window to steal a radio. Hicks is said to have accompanied him and to have looked on as Nixon struck the woman with a brick when she awakened.

Friday while conversing with his counsel, Atty. Ulysses S. Keys, Hicks once more asserted he knew nothing of the crime but still insisted on going through with the plea of guilt. "I got myself messed up with that bogus confession and they would kill me sure enough if I ever tried to back out," the youth confided.

The 14-year sentence makes Hicks eligible for parole in about four and one-half years.

It was learned this week that the prosecution has nolle prossed four other charges of attack and murder pending against Nixon, indicating that Assistant Attorney Wilbur Crowley feels certain of sending the youth to the electric chair this spring on the Johnson conviction. After six continuances had saved

Nixon from death his counsel, Atty. Joseph E. Clayton Jr., petitioned for a rehearing before the supreme court of Illinois. This body is expected to render a decision the latter part of February.

Glass Broken, Student Slain

CHAMPAIGN, Ill.—Mrs. Margaret Strothers was being held here this week for the fatal shooting of a white student after he and five others from the University of Illinois rioted at her hotel. The woman admitted firing an automatic pistol after one of the rowdy students hurled a bottle through a window of the Pullman Hotel, showering Mrs. Strothers and three other women with glass.

Rowdy, Women Say State officials were sent here to



William Spurrier Mrs. M. Strothers

probe the slaying of the 19-year-old student, William Spurrier of Toledo, Ohio. Mrs. Strothers and three women held as material witnesses said that the youths came to the hotel late at night and demanded that they be admitted. When they were refused admission, the rioting began, according to the witnesses.

Jack Pierce of Detroit, who admitted throwing the bottle, said that they had been advised to go to the hotel to buy beer after the closing hour for sales.

He said that when they knocked at the hotel door, Mrs. Strothers cursed them and told them to leave. Then, he said, he lost his temper and hurled a bottle.

Spurrier was shot in the back, and his liver and other vital organs were injured.

Issue in Campaign

Already in the midst of a drive against vice, reform forces here have made the shooting an issue

in the campaign between Mayor James D. Flynn and the candidate for his office, George Franks, the university daily newspaper, and others contended that Champaign is "wide open" and that the shooting incident was a result of police laxity.

They asserted that many resorts were spreading venereal diseases in the community, reefer smoking was rife, and that a high school girl had been attacked near the campus, and other girls had been attacked.

Favors Vice District

Recently Mayor Flynn told critics that he favored setting up a controlled red light district, with examination and registration for all prostitutes.

KILLINGS-1939

VICE AT ILLINOIS UNIVERSITY

By WILLIAM PICKENS

(For The Associated Negro Press)

There is vice at the University SHOT. Just let some of the col- of Illinois, on the campus and off ored college boys try to break into the campus. Everybody that some places, in disorderly fash- knows about universities, knew ion, among white women, where that. But it took the killing of a they have been previously wel- student to start an "investigation". comed, then let them come into The faculty and the soberer stu- court and try to plead their baby- dents, it is alleged, had been ask- ish innocence, that they were ing for help against this vice for breaking in because they had a months and years, but got no real right to be let in, God! then see response to their pleas. But a kill- how the white race will act up- ing is like a shot in a revolution; The attack on those black boys it brings the matter to the atten- would be worse than the attack on tion of people, and to a head. the worthless women.

Some of this vice will always It is a hard case if this woman be—always as long as man is the shot in defense of her house and weak animal that he is. But much perhaps her safety, she should not of it is inevitable, especially the be punished for shooting. But if off-campus variety. It is not nec- she were running an unlawful cessary for corrupt police officials house, should she be punished for and other officials to license that. I know, too, that it is the gambling places or to take bribes practice of the law to blame one from them, so that those places who is violating law for whatever can take the tuition money away happens during that violation. But from fool students who frequent these boys and that woman were them. If state law allows such both violating law, and they are places anywhere in the state, a both to blame. Both are equally deadline of many miles ought to be drawn around every college, state and private.

A colored woman shot a student, who was one of a party of six, and that five of those boys are still who were throwing beer bottles in- in prison after eight years—and to her house, presumably trying to that all nine of the narrowly make her let them in. Of course, escaped electrocution.

every effort will be made by the white race to show that this Ne- gro woman was running an un- lawful prostitution house, and that students had been in the habit of going there. All that may be true, but this colored woman is a small agent in the whole business. Who has been taking her money, for her privilege of maintaining such a place? What officials gave her protection, for so much cash?

If any students had been going there, which is possible, and if these unmannerly young "gentle- men" who were now trying to break in had been welcomed be- fore—why the shooting this time? Perhaps because they were drunk, disorderly and dangerous this time. We do not know, but if bul- lies, even university bullies, try to break into anybody's house, they are likely to get shot, and we dare say, THEY OUGHT TO BE

The Champaign Slayer

LAST WEEK in Champaign, Illinois, three white University of Illinois students went to a rooming house or hotel after mid- night and sought entrance. The woman proprietor refused to let the boys enter be- cause it was too late. The boys got loud rowdy, threw bottles through a window. The woman took a "pot-shot" through the win- dow and one boy fell. He subsequently died. The state holds the woman for murder and no doubt intends to give her the maximum penalty.

We do not know the nature of the woman's business and for the purpose of this article her business is not any consequence. We do know, however, that since time immem- orial a person's home has been considered his castle. We know that the law has sought

to protect persons in the convines of their homes against unlawful entrances by unin- vited guests. We see no reason why the woman in the Champaign case should not be given the benefit and protection of that law.

We know what the consequences would have been had the woman been of a differ- ent race and the students colored. We won- der what would have been the reaction if all the parties had been colored.

Had the woman been white and the stu- dents colored we doubt if the slayer would even have been arrested for killing the "rowdy Negro boy" who was among those who sought to break into her home.

We have no brief for persons who commit crimes. But we believe that whatever the racial identity of the alleged criminal may be law enforcing officials should accord all the equal protection of the laws in pre- venting unlawful visitors to come into their homes.

Negro Students Fare Well At University of Illinois Declares Honor Student

Brothel Where White Youths Were Killed Operated By Woman Who Did Not Allow Race's Entrance

Discrimination Noted In R. O. T. C.

URBANA, Ill.—(ANP)—An interesting and comprehen- sive picture of conditions at the University of Illinois here as they relate to colored students and the reaction of Ne- groes generally to campus life is embodied in an interview given ANP by Reginald F. Fisher, honor student promi- nently identified with many extra- colored students, as her business did not "cater to Negroes." She stands charged with conducting a Tau chapter, Alpha Phi Alpha

Student Fishers' comment is timely because of present agita- tion for admittance of Negroes to Southern state colleges in accord- ance with the U. S. supreme court December 8 ruling in the U. of Missouri-Lloyd Gaines case, which ordered Dixie state institutions to either admit Negroes as students or "provide equal educational fa- cilities within the states."

Concerning the notorious Mrs. Strother case, Fisher says she did not figure much in the life of

colleges and interests, the Inter- fraternity council in which Negro organizations once participated until they lost interest, and inde- pendent organizations such as the Men's Independent association and the Women's league, and other activities too numerous to men- tion meet with almost absolute failure.

"You would find that at the numerous recitals, concerts, lec- tures, art exhibits and social func- tions of various kinds, many of which are free and at many of which world famous celebrities may be heard, seen and talked to, the Negro students are almost en- tirely missing.

"You would find that overtures of a large number of sincere white students and faculty mem- bers who are greatly desirous of seeing race relations improved are repulsed almost absolutely.

"You would find that the Ne- gro students themselves get to- gether only once amo nth in a large group in a lyceum at the Bethel A. M. E. church where their conduct is not only childish, but even rude, and where fre- quently programs are produced that are very disrespectful to the church.

"You would find that, although only eight dollars can be raised in a crisis such as last year, our group can easily give a dance that costs many times that amount

"You would find that on the scholarship list, the Negro or- ganizations are now fighting with each other for the bottom and that more than half of our group is now on probation.

"You would also discover that our group even ignores almost completely the Negro citizens, very few go to any church or Ne- gro respectable gathering, but many are familiar at the taverns.

"You would find many other things that would both shock and disgust you. There are many students here from Chicago who could tell you and all of Chicago the truth about conditions here if they were in position to do so.

"It is true that the cafeterias and theatres discriminate. It is also true, however, that at the theatres you may sit where you please if you quietly insist that you will do that. As far as the cafeterias are concerned, a small group of interested people secured

an agreement last year with the managers that Negroes would be served, but all desire practically on the part of the Negroes has died down now.

"On the campus, Negroes are discriminated against in the R. O. T. C. (they cannot enter advanced military, I understand) and in the military bands they have never yet entered. Among hundreds of white applicants turned away from the bands have been several Negroes. As to their ability, I know nothing. In athletics it is said there is discrimination. I only know that when I entered here, a Negro who was on the varsity football team was dismissed because, as he himself acknowledged, he persistently broke training rules. I also know that Flip Anders, of Moline, is very popular here in athletics, and as he appears to be a fine boy, we have hopes for him.

"Many of my friends ask me constantly what can be done to reach the Negro students and why my group does not realize that it should cooperate in fighting unsocial conditions.

"Personally, I am discouraged sometimes by our lethargy and disgusted by the things we do so easily that are unfavorable, but I realize most of these students are quite young and inexperienced. Many of them are very fine and talented, but they are influenced easily in the wrong direction.

"Neither I nor anyone I have asked today has ever heard of any unruly white students having molested any colored girls on the street. If such a thing has occurred, I have not heard of it. I myself would have investigated and reported it long ago.

"Albert Lee, last spring on his way home, saw some unidentified fellows from Chamite Field in Rantoul molesting a Negro girl and trying to pull her into their car. He tried to prevent it, and take their number, and was assaulted. That occurred in North Champaign quite some distance from the campus. I talked with Mr. Lee today; he has always felt as I feel that this whole situation should be investigated at first hand.

"Mrs. Strother does not figure in the life of the Negro students at all as far as I understand. Most of us had never heard of her before. I do not believe that she figures much more in the life of the community. The consensus is (I have been told it by prominent white friends) that this is not a

racial issue. She is not a reputable woman of our race; her business did not cater to Negroes. What the final outcome will be I do not know."

SET DATE FOR NIXON, PRICE EXECUTIONS

Warden Frank Sain of the county jail Saturday received an official order from the Illinois supreme court setting June 16 as the date for the execution of Robert Nixon, 19-year-old youth convicted of the brick slaying on May 27, 1938, of Mrs. Florence Johnson, wife of a city fireman.

Scheduled to die on the same day is Charles Price, 28, who was convicted of the holdup-killing of Nicholas Miller, an insurance collector during a robbery on March 30, 1936. Both youths have been given several reprieves. Nixon's execution was stayed seven times, Price's three. Both have consistently denied the crimes, charging brutal third degree methods resulted in the "confessions" on which they were convicted.

Continue Fight to Save Nixon
When interviewed Wednesday Attorney Joseph E. Clayton, counsel for Nixon, who has been waging a relentless battle in the youth's behalf, stated that he was continuing his fight to save Nixon from the chair. "We will not give up until every avenue has been exhausted in our fight to save Nixon's life," Attorney Clayton stated.

Americanism Triumphs

THE ACQUITTAL of Mrs. Margaret Strothers in the fatal shooting of William Spurrier, a white student of the University of Illinois who, at the time of the tragedy with four other white students, sought to force entrance into her home at midnight after a drinking orgy, was a triumph of true Americanism. Mrs. Strothers is a colored woman, and the unsavory notoriety attached to her business, coupled with the usual flame of white hysteria which usually flares forth whenever a white person is killed by one of our group, made her predicament appear a serious one and few there were who would hazard the belief that she even had a chance to escape some sort of punishment even though unjustly meted out.

As things turned out, contrary to all expectations, the jury sitting in judgment opened the book of true Americanism, and read its verdict from its pages. True Americanism is different from all other isms in the wide, wide world. It is that sort of ism which has for its object the patriotic and faithful discharge of all duty to country, to fellow man and to Creator, without regard to conditions, to impediments, to handicaps, to sentiments, to race, religion, color, creed or nationality. Its sceptre is the Golden Rule and its diadem is the second of the two Great Commandments. It cannot, therefore, be reached by prejudices, biases, maudlin sentiments or petty hatreds. It sees justice, not as a blindfolded, entreating female character, but as an angel of strength, of power, and of vengeance, pointing the way for man to follow in unerring intrepidity.

That was the vision that guided the twelve who, despite the injection of racial animosities; despite the hysteria and maudlin sentiments, and despite the color of the prisoner at the bar, wrote down a testimony in vindication of the right of a man or a woman to defend their homes as a king would defend his castle, when they returned a verdict of not guilty against the defendant. And why not? Even though we deplore the tragical fate of Young Spurrier, we see no reason why others should have been crucified for his sins and the sins of his companions in iniquity. The fate he met was his own responsibility. Neither license nor neglect on the part of others were responsible for the midnight attack of the ribald five.

LAWYERS FIGHT TO SAVE NIXON, PRICE FROM ELECTRIC CHAIR

Robert Nixon, 19-year-old youth doomed to die in the electric chair for the brick slaying of Mrs. Florence Johnson, white, wife of a city fireman, in May of last year, will die at 12:01 Friday morning, unless efforts by his attorney, Joseph E. Clayton, young criminal lawyer, win another last-minute reprieve.

Nixon was snatched from the shadow of the electric chair seven times by last minute reprieves. His case was reviewed by the state supreme court, which handed down a decision upholding the death sentence. Date of execution was set for June 16.

Denies Guilt

The youth has persistently denied the slaying. Confessions, which linked him with several unsolved crimes of similar nature extending to the west coast, were from him by brutal third degree methods.

Also sentenced to die with Nixon is Charles Price, sentenced for the slaying of a white insurance collector, Nicholas Miller, during a holdup on March 30, 1936. Price was reprieved three times. He, like Nixon, has consistently denied the crime, charging brutal third degree methods resulted in the "confessions" on which he was convicted.

Westbrooks Enters Case

In a last minute effort to save Price's life, Atty. Richard E. Westbrooks, veteran criminal lawyer, joined the youth's attorney Claude Holman, in asking the Parole Board for an extension of time to permit them to present the case to the United States Supreme court, which has adjourned and will not meet again until October of 1939.

26 Of Louisville's 40 Murders In '38 Nearo

LOUISVILLE, Ky.—(SNS)—d out to be a husky man and Reports from the Homicide he "insult" was the usher's tell Squad of the Louisville Detective ng him to take his hat off. Tha Department show that 40 mur- was the background of a possible lers were committed during ragedy. Negroes' inhumanity to 1938. Of that number 26 victims Negroes.

wer colored 20 men and six One white man attended to women. Only two murder were he galleries of white theaters— unsolved, one of them being the when Negroes were allowed up killing of Charles Rucker, 52, here—and never a bit of trouble colored nightwatchman, found lid one of them have from 300 beaten to death February 5th, in Negroes. Though he bawled then his shanty at the South 12th out on the least provocation. Bu Street coal yard. Negroes the same that go up in

In 1937, 13 colored men and he white theaters' galleries—go ten women were slain. Optimists to a Negro theater and want to will figure that that is progress wear their hats, use vulgarity —only blind optimists however. and in general create disturb- The record of Negro murders for ances and if any thing is said 1937 and 1938 gives basis to the to them want to cut somebody's argument of a Southern white throat. Is there any wonder the woman who wrote recently in Negro murder record in Louis Liberty Magazine under: "I am ville is high?" a Prejudiced Southerner." Try- ing to defend southern prejudices against the Negro she beats the air.

But one statement she makes stands out: "The Bureau of Vital Statistics in any community where there is a larger popula- tion of Colored people will pro- duce facts to make any investi- gator bewail the Colored man's inhumanity to members of his own race." Twenty six Negro murders out of Louisville's 40 during 1938 bear out the wom- an's argument.

Here's a sample of how these things can happen: Last Sunday a man stood in the Lyric theatre and dared a young usher to open his mouth, "if you do I'll take my knife and cut your throat", he declared. The usher wisely said nothing because this man had worked up to the pitch where he would have carried out his threat, maybe hurt his victim se- riously, caused a panic in the crowded theater and no doubt got himself into prison. But he never thought or cared about that. He was grand standing to listeners: And what was the trouble? He said the usher had insulted his cousin." One would have thought his cousin was a delicate female. The cousin turn

DEPUTIES KILL NEGRO IN HARLAN

HARLAN, Ky.—The fight ers in signing a contract with of Harlan County mine own- the union, Governor Chand- ers against the United Mine- ler ordered the Kentucky Workers Union flared up in- militia to Harlan County to to murder this week with help the owners open the the killing of a 35-year-old mines. Despite the presence Negro unionist by two white of the militia, most of the deputy sheriffs. miners refused to return to work without a union con- tract and several of the mine owners subsequently capi- tulated and signed contracts with the union.

The miner, Beecher Turn- er, was shot by Deputy Sheriff Chad Nolan and an assistant who had picked up the man on a minor charge. They claimed that he was trying to escape. On the same day that Turner was shot to death, the United States Depart- ment of Justice began an in- quiry to determine whether the civil rights of the miners had been violated in Harlan County during the present coal-mining crisis.

When Harlan County mine owners refused to follow the example of the rest of the country's soft-coal mine own-

White Dixie Merchant Held In Murder Of Man

CLINTON, La., Feb. 2—(ANP)—M. L. Harvey, prominent white merchant of this city, was arrested last Tuesday in connection with the fatal shooting the previous Sunday, of Pete White, colored, who was shot down on the main street of Jackson. A murder charge has been filed against Harvey.

Although the district court term in Clinton has just ended, Harvey's counsel were reported as trying to obtain his freedom on bond, without a preliminary hearing.

The shooting occurred in front of the R. C. Dudley store in Jackson and White died a few hours later. Harvey surrendered immediately to Sheriff C. H. Andrews, was first released on bond, but later jailed when murder charges were filed against him.

Stem of the trouble resulting in the shooting was said to be purchased through a sale, by Harvey of property owned by White. Witnesses say that Harvey drove to Jackson Sunday with two friends, discovered White standing in front of the store and ordered him to get in the car. White refused, whereupon Harvey repeated his order and when White again refused, Harvey drew his pistol, fired five shots, four of which entered White's body.

U.S. Supreme Court Saves Negro's Life

Trial Illegal Because Negroes Barred From Jury

WASHINGTON.—The supreme court set aside a death sentence pronounced upon Hugh Pierre, Lucy, La. Negro holding his conviction of murder charges was unconstitutional because Negroes were barred from the grand jury which indicted him.

The high tribunal, in a decision written by Justice Hugo L. Black, reversed a Louisiana supreme court decision approving legality of Pierre's trial.

UNITED STATES SUPREME COURT SPEAKS AGAIN

The nation received another message from the United States Supreme Court this week when that tribunal spoke and stopped the operation of the death penalty against Hugh Pierre, a Negro farmer of Louisiana.

Pierre had been convicted by a Louisiana court and his sentence confirmed by the state's high court, his conviction carrying with it the death penalty for the alleged murder of a white police officer who was said to have attempted to take Pierre from his home under the pretext of arresting him.

During the trial, Pierre's attorney raised the question of there being no Negroes on either the grand jury which indicted the defendant or the petit jury which convicted him, all of which was a violation of the Fourteenth Amendment to the Federal Constitution. In appealing the case, the attorney for Pierre cited the fact that the systematic denial of Negroes on juries constituted an unlawful trial.

An interesting feature about this latest decision where the United States government has intervened where Negroes' rights were at stake, is the fact that Justice Hugo L. Black of Alabama, a member of this highest legal tribunal of the nation, wrote the decision which saved Hugh Pierre's life. And more interesting is the fact that the entire court concurred in Justice Black's opinion, thus making his judgment in the case unanimous.

It will also be remembered that this Alabama justice voted to admit Gaines to the University of Missouri.

Gadsden, Ala. Times
March 4, 1939

COMPLEX COLOR QUESTIONS CREATED

The decision of the United States Supreme Court in setting aside the conviction of a Louisiana negro because there was no negro on the grand jury that indicted him for murder established a precedent that opens the way for endless complications.

It means that to insure the punishment of a criminal there must be upon the jury someone of the same race as the accused, and thus a highly confusing racial element is entered. It must be construed to mean that the Chinaman cannot be convicted unless there is a Chinaman on the jury; that an Indian cannot be convicted unless there is an Indian on the jury since the rights of yellow men and red men who are citizens of the United States, cannot well be construed as differing from the rights of men of other colors.

Then there are men who are neither white nor black nor yellow nor red, particularly in Louisiana, where Octoroons are commonplace. Shall the Octoroon demand a fellow Octoroon upon the jury, and if so, shall precisely the same proportion of white blood and colored blood be demanded?

The attainment of justice is a difficult and complex problem and it would seem clear that new complexities and new elements of a problematical nature have been injected. All of which seems to make for increasing futility and to suggest the thought that the question is not so much the nature of the blood that runs through the veins of a slayer but the fact that he has the blood of one of his fellows upon his hands.

WIDOW ENTERS \$25,000 SUIT ANOTHER NEGRO IN MAN'S DEATH SLAIN BY COP IN NEW ORLEANS

Over Slaying

NEW ORLEANS, Feb. 23—(ANP)—For the first time in the history of this state, a district attorney called a special session of a grand jury to hear testimonies in the case of an officer murdering a Negro prisoner.

Several weeks ago, Oscar Smith, an employe in a gaming tavern in St. Bernard parish, was taken from his place of employ by a deputy sheriff and later found shot. Feeling ran high in the case as no one was able to get definite facts surrounding the killing.

James B. LaFourche, director of publicity for the Southern Regional conference of NAACP branches, was advised by officials of the conference to investigate the case in order that it may determine whether or not Louisiana would be accorded the first lynching of the year.

The peculiar nature of the incident made it difficult for anyone to get authenticated information. Those who witnessed the arrest of Smith by Deputy Sheriff William Stander were afraid to tell what they knew, and those

who might have been familiar with the incidents leading up to the killing would not divulge any information whatever.

NEW ORLEANS, Feb. 23 — (ANP) — Because he accidentally shot a three-year-old white girl during an altercation and wounded a white youth who gave chase, a youth identified only as Jones was killed like a dog Monday afternoon by Patrolman Louis Engolia, who crawled under a house where Jones lay hiding and shot him through the mouth at close range.

Jones and an acquaintance, Robert Dangerfield, started an argument in a saloon and continued it on the street outside. Jones drew his gun and shot at Dangerfield, the bullet going wild and striking a girl returning home from a grocery store and wounding her superficially.

As the gunman fled, an officer and a white youth gave chase. In an exchange of shots, the youth was wounded slightly. After trying for 30 minutes to get him to come out, Engolia crawled into Jones' hiding place under a porch, and slew him.

HUGH PIERRE HAPPY WHEN LIFE IS SAVED; FAMILY IS JUBILANT

NEW ORLEANS, Mar. 9—Legal circles and news circles in Louisiana have been somewhat stirred by the recent decision of the U. S. Supreme Court in its reversal of the death sentence against Hugh Pierre, crippled Negro farmer from Lucy, La., charged with killing an officer of the law attempting to arrest him. The decision of the Supreme Court was sweeping and was declared a complete victory for Maurice Wouffe, white attorney who argued the case for Pierre.

LOCAL DISTRICT ATTORNEY'S COMMENT

District Attorney John E. Fleury of St. John the Baptist parish where the murder was said to have been committed, expressed surprise at the decision of the court. He stated that he would probably apply for a rehearing and if it was refused him he would after this recommend that the jury commissioners deliberately place Negroes on the grand jury panel of 20. It is from this panel of 20 that 12 grand jurors are selected for the grand jury. District Attorney Charles A. Byrne of New Orleans stated that the names of Negroes are already being placed on the grand jury panel. He stated that frequently Negroes had served on petty juries but he did not recall that Negroes had ever served on a grand jury. None could be located in New Orleans who remembered Negroes serving on a grand jury other than a Federal grand jury. Two Negroes, H. E. Braden, Sr., and the late Frank Farrell, were on a Federal grand jury which returned an indictment against the late Walter L. Cohen. He later was exonerated of the charge brought against him by this grand jury.

DEFENSE ATTORNEY TALKS

Attorney Maurice, white local attorney in the case who has worked on it for practically nothing and really for nothing since the case has been in the Supreme Court stated that he would ask for a change of venue in the event that the case was retried. "I do not want to create another 'Scottsboro' affair but we won't go through another kangaroo court." He further stated that if the state did not place enough Negroes on the panel he would have a census of the parish taken and demand a jury

division on that point.

PIERRE IS APPRECIATIVE

In his cell in death row where other condemned men await execution, Pierre stated that he was much pleased with all that had been done for him. He stated that he had since his conviction in 1936 resigned himself to the "Will of God." He was just waiting on what his attorneys and friends were to do for him.

FAMILY JUBILANT

The family of Hugh Pierre was jubilant. One sister, who is totally blind, wept and laughed aloud at intervals. Another sister ran quite a distance to carry the news from one river town to another. Albert Pierre, brother of the condemned man, journeyed all the way to New Orleans to personally thank the Pittsburgh Courier office for their assistance in the case. He was accompanied to the office by his sister, Mrs. Schexnader, who lives in New Orleans and works so that what little funds she may save may be used to assist her brother. Entering the office of the Courier they wore the first smile seen on their faces in many months. Albert stated that he felt sure that if an appeal were made to the public for financial assistance, it would be forthcoming as this was not only a case for his brother but for the whole of the Negro race.

Alexandria La. Town Talk
April 15, 1939

No Negroes on Jury Test Slated Again

BATON ROUGE, La., April 12.—(By A. P.)—The right of a negro to a new trial on the grounds that negroes are excluded from the grand jury that indicted him is to have another test.

The United States supreme court recently ordered a new trial for a Louisiana negro on the grounds that negroes were excluded from the grand jury that indicted him.

Willie White, 39-year-old negro, convicted here for the murder of W. P. Wales, a former policeman, used the plea before Judge Charles A. Holcombe of the East Baton Rouge district court that he was entitled to a new trial because no negroes sat on his grand jury. District Attorney Dewey J. Sanchez argued that the point should have been raised before the trial and that it was too late to raise it after the defendant had been convicted.

Judge Holcombe agreed with the district attorney and dismissed the motion for a new trial and today passed the death sentence.

Fred S. Leblanc, a former assistant district attorney and presently attorney for the negro, announced he would take the case to higher courts.

Officer Crawls Under House To Kill Race Youth

NEW ORLEANS—(A N P)—Because he had accidentally shot a three-year old white girl during an altercation and wounded a white youth who gave chase, a youth identified only as Jones was killed like a dog Monday afternoon by Patrolman Louis Engolia, who crawled under a house where Jones lay hiding and shot him through the mouth at close range.

Jones and an acquaintance, Robert L. Dangerfield, started an argument in a saloon and continued it on the street outside. Jones drew his gun and shot at Dangerfield, the bullet going wild and striking a girl returning home from a grocery store and wounding her superficially.

As the gunman fled, an officer and a white youth gave chase. In an exchange of shots, the youth was wounded slightly. After trying for 30 minutes to get him to come out, Engolia crawled into Jones' hiding place under a porch, and slew him.

NEGRO'S PLEA UPHELD IN OPINION BY BLACK

A SMALL-TOWN FARMER, A SMALL-TOWN LAWYER AND 'THE COURIER MAN'

High Court Upsets Indictment by Jury Barred to Race

WASHINGTON, Feb. 27 (P).—The Supreme Court set aside today the conviction of Hugh Pierre of Lucy, La., Negro, who was sentenced to hang for murder. Pierre contended that his conviction was unconstitutional because Negroes were excluded from the grand jury which indicted him. The Supreme Court action permits a new trial.

Justice Black wrote the opinion, holding that the Louisiana Supreme Court "was in error both in affirming the conviction of petitioner and in failing to hold that the indictment against him should have been quashed."

They Combined to Make a National Issue of the Hugh Pierre Case—Now Another Lawyer Wants Murder Indictment Quashed.

NEW ORLEANS, La., May 11—(By Leon Lewis for the ANP)—Taking advantage of a decision rendered by the United States Supreme Court, which held that Hugh Pierre should be re-tried because the jury that convicted him for the murder of a white man pealed and re-appealed. His brother, contained no Negroes" and that it is a policy of the State of Louisiana to exclude Negroes from jury their life's savings and what they service, Edward Palmer, through could raise to Maurice Woulfe, a his attorney, Richard A. Dowling, New Orleans attorney, also a formed a motion to squash the murder small-town. Woulfe had strived indictment against him. Palmer diligently to get justice for er was indicted for the murder Pierre, with practically no fees. of his estranged wife and her sis-He accepted what little they could spare him, most times bearing his town expenses.

This action followed a request by William P. Dillion, chairman of Orleans Parish jury commission Supreme Court and here is where sioners, to Judge W. J. O'Hara of the half-teacher and half-newspaper criminal district court and perman came in. O. C. W. Taylor, District Attorney Charles Byrne a local public school principal and o "place the names of additional Louisiana representative of the Negroes on the jury wheel." Pittsburgh Courier, took up the

Much ado is being made over the case on the principles involved and recent victory in the Hugh Pierre through the columns of this paper case which is the outgrowth of raised one hundred and fifty dol-cooperation between three small town people, a small town farmer, venture. Persistent plugging by a small town attorney and a half-Taylor, the sister, the brother and newspaper man a half-teacher. Lawyer Woulfe resulted in the re-

The small town farmer is Hugh Pierre, crippled, who lived on the west bank of the Mississippi river just above New Orleans in St. all jury services.

John the Baptist Parish. A white man named Pierre of stealing his plow two years before being accused of the crime. He charged that Pierre had taken the plow from the levee where it had been left. It is alleged that he attacked Pierre and got the worst of the brawl. As a result one of the cops in company with the accuser came to Pierre's little farm and demanded that he come with them. Pierre refused, because they had no warrant. When the officer attempted to enter the home by force Pierre shot him down on the door threshold.

Pierre was tried in the home-town court, found guilty and sentenced to death. The case was ar-

United States." The district attorney and Mr. Dillon are equally putting forth efforts to satisfy the Supreme court decision which offers a loophole for every Negro tried, to escape conviction.

Alexandria La. Town Talk Weekly July 15, 1939
2 Negroes on Jury Indict Negro Again

EDGARD, La., July 11—(By A. P.)—Hugh Pierre, negro given another chance at life by the U. S. Supreme Court which reversed his conviction on a murder charge, must stand trial again.

The St. John parish grand jury—this time composed of 10 white men and two negroes—yesterday once more indicted Pierre on a charge he fatally shot Constable Ignace Roussell in resisting arrest Oct. 1936

The Supreme Court's reversal of Pierre's conviction was based on absence of negroes from the panel of the first grand jury that indicted him. The negro pleaded innocent and goes to trial July 17.

RACE AROUSED AS MERCHANT SHOOT YOUTH

Indignation Of Public Is Turned Into Good Channels

NEW ORLEANS, La., Dec. 15—Public indignation is aroused, and the first "buy where you can work" campaign in the history of New Orleans has been launched as the result of the slaying last week of Nathan Everett, 20 year old youth by John Martello, white Italian merchant.

The shooting of the lad occurred in a beer joint operated by Martello at 2805 Washington street, in the Gordon district, a thickly populated Race working class area of New Orleans.

Martello asserts that in the course

of an argument with the youth, Everett threw a bottle at him. He returned the missile, and when the youth is said to have thrown it back, Martello drew his pistol, shot and killed Everett, allegedly in self defense.

Though for the last 10 years or more Martello has made his living by owning and operating several enterprises in the Race district, he has a reputation throughout the district as being a Race-hater and as being unusually vicious in his treatment of Race members.

More than once he has been charged with assaults and shooting of Race citizens. Five years ago he is known to have killed a man, a crime for which he was never sentenced in court.

In another instance, he was seen to shoot and barely miss a boy who was involved in a minor collision with Martello's car.

At the first hearing on the case Martello was released on posting a \$2500 bond, despite his previous record of killing and assaults.

It is said by the community that the four Race witnesses who appeared at the hearing to corroborate Martello's version of how the shooting occurred had been promised \$10 each to testify in his favor.

The suspicion of bribery was aroused immediately after the hearing when one of the witnesses is said to have confessed outside of court that he was paid to testify for the merchant.

Steps were immediately taken by the city until all merchants in Race town affidavits from other eye witnesses, showing that the argument in the beer garden was started by Martello, and that he was in no danger when he fired.

The immediate result of the murder of young Everett has been a boycott of the Martello enterprises by the community. Driven by community indignation, and apparently afraid of reprisals, Martello has closed down the store where the shooting took place.

The community is determined to close down other Martello enterprises in the Race district and to see that they are not reopened.

The community protest activities are being organized by the N.A.A.C.P. and by the New Orleans Council of the Southern Negro Youth Congress. A huge mass meeting Sunday at the First Calvary Baptist church was packed to capacity.

Chairman of the activities was

Ernest J. Wright, a young man who is well known and liked throughout the city.

Other leaders participating in the program were: Chummy Wilson, president of the New Orleans N.A.A.C.P.; Rev. C. C. Taylor, president of the Freedmen Baptist association, and Edward Strong, secretary of the Southern Negro Youth Congress.

Civic and community leaders of New Orleans state that they will direct their efforts toward accomplishing the following measures:

First, to see that John Martello is prosecuted to the fullest extent of the law both for murder and for perjury. Second, to close all the Martello enterprises in the Negro areas. Thirdly, to conduct a "buy where you can work" campaign in the city until all merchants in the neighborhoods employ Race help.

Already many white merchants in the Gordon district have moved to employ Race help since the wave of public feeling after the shooting of young Everett first made itself felt.

Negro Runs Amuck

With Truck Killed *Advertiser*

SHREVEPORT, LA., Dec. 14.—P

—A negro who reportedly ran amuck today, driving a truck into a church and critically injuring a white man, was shot to death by an arresting officer. *12-15-39*

Patrolman Bill Beckett said he shot the negro, Querbss Lemon, 24, when the latter seized a club and attacked him and another policeman while they were taking the man to jail in an automobile. *Montgomery*

Beckett said A. F. Becker, a brother-in-law of the police chief, was critically injured when the negro jumped into Becker's truck and drove it wildly in circles before crashing into the church. Becker was thrown from the machine.

KILLINGS- 1939

Hold Southern White Man In Slaying of Negro

CORINTH, Miss., March 9 — (ANP)— Wesley Hughes, Tipton county white man, was under arrest this week on a murder charge preferred by County Attorney Hugh Hopper, following the death at McRae hospital of Sam Jennings, colored oil mill worker, who succumbed, police say, from a pistol wound through the neck suffered a week ago.

Jennings was shot last Wednesday while en route home from his day's work at the oil mill. Police quote witnesses as saying that as Jennings passed a colored dance hall, he was hailed by four white men, and as he approached one of the men fired, the bullet severing an artery in Jennings' neck. The men drove off and were not seen again until their arrest on Friday by deputies Leon Potts and Ed Morgan. Officers named Hughes' companions as Clifford Jones, Roy Bass and Jim Clark. They were later released on bonds of \$500 each. Preliminary hearing for Hughes on the murder charge was set for Friday at the courthouse here before Justice of the Peace J. E. Gray.

TRIO IS CHARGED WITH FATAL BEATING OF MAN

By United Press.
TUPELO, Miss., April 27.—Three men were jailed today on charges that they beat and choked Robert Bass to death last Sunday. Those held were Quinon Wither, 31, James Malone, 19, and Tom Sudduth, 15. All three denied the murder charge and made a statement to Sheriff Russell Patterson that Bass died of natural causes.

COURT HEEDS PLEA OF DOOMED NEGRO

JACKSON, Miss., May 1—(AP)—Mississippi's Supreme Court affirmed Monday the death sentence of one convicted murderer and reversed and remanded the sentence of another in an opinion condemning the "spirit of community vengeance."

Escaping the gallows and winning a new trial was Mose Ross, Natchez Negro known as "T-Boo," who was convicted in Adams County of the murder of Francis Strain, white.

Losing his appeal was Grant Williams, sentenced to die in Clarke County June 15 for the murder of Annie Price.

Justice Griffith wrote the opinion in which community vengeance was assailed, and found "upon the record before us, there is a grave question whether the appellant (Ross) should in any event have been convicted of any greater offense than manslaughter."

The justice declared it the duty of the court to be mindful of the danger of community feeling when "the extreme penalty has been pronounced as a result of a verdict."

"And when such a verdict has been returned," the opinion continued, "in a homicide case wherein all the facts disclose that the deceased has been the aggressor, and without cause or provocation, throughout the entire difficulty until the moment when the party attacked turns and slays, little else is needed to make it evident that there is presented a case wherein the inadmissible element has perhaps played a part, and the closest scrutiny then becomes the obligation of this court."

The court said testimony had shown Ross was unacquainted with Strain and never had met him prior to the fatal meeting; that the deceased had charged Ross with a "fancied wrong," and had "profanely persisted in the charge and assaulted appellant with a beer bottle."

Instructions granted the state by the trial judge were "harmfully erroneous," the opinion continued, and therefore constituted reversible error.

MISSISSIPPI

Gulfport, Miss. Herald
March 6, 1939

SOUTH AGAINST IT

Those whitecappers in the Delta, who have been sending threats and warnings to negro families, accompanied by drawings of cross bones and coffins, have been located; and if the evidence make it certain, and the jury do its duty, the court should give offenders their just deserts.

No man anywhere out of the South should believe that the people wish Negroes here to be disturbed. Nowhere on earth or in history have the delicate relations between two utterly distinct races, finding themselves suddenly confronted with the conditions and events following the emancipation and subsequent political evils, so challenged the good sense of both races. Nowhere and at no time have such races lived side by side, in virtually equal numbers, with less cruelty, despotism, oppression. On the contrary, some of the most beautiful relations have been experienced; there has been real, sacrificial charity; there have been lasting friendships. This will not be believed by those who live at a distance and nourish their hostile and intolerant view of this question: but those who have been subjected to the trying conditions since the War Between the States know what they know—they have that within which passeth show, despite repeated charge of woe.

Mrs. Roosevelt's resignation from the D.A.R. because somebody of it would not consent to use of its hall for a concert by a gifted Negro singer, will not solve nor help anything.

MISSISSIPPI HIGH COURT SAYS DEATH SENTENCE WRONG

So Mose Ross, Who Was
Convicted in Killing of
White Man, Will Get New
Trial.

JACKSON, Miss., May 11. (Special)—Holding there was a grave question whether the defendant should have been convicted of any more serious offense than manslaughter, and condemning the "community vengeance" spirit wherever it makes its appearance, the Mississippi Supreme Court, Tuesday, reversed action of the trial court in the case of Mose Ross, of Natchez, convicted of the murder of Francis Strain, white, and sentenced to death. It was ordered that Ross be given another trial.

COMMUNITY VENGEANCE
ATTACKED BY OPINION
Justice V. J. Griffith, writing the opinion for the Supreme Court, said: "Sometimes, although not often, a spirit of community vengeance finds its way into a jury verdict under the forms of the law, when, under the real facts and the real law of the land, no such severe judgment is justifiable. "And it is one of the duties of this court to be mindful of this danger when, in a case less than perfectly clear, the extreme penalty has been announced as the result of a verdict."

"And when such a verdict has been returned in a homicide case wherein the inadmissible element the deceased has been the aggressor, and without cause or provocation, throughout the entire difficulty until the moment when the party attacked turns and slays, little else is needed to make it evident that there is presented a case wherein the inadmissible element has perhaps played a part, and the closest scrutiny then becomes the obligation of this court."

Upon the record before us there is a grave question upon a close analysis of that of the evidence which is more substantial and dependable in its nature, whether the defendant should, in any event, have been convicted of any greater offense than manslaughter; but, as the case must go back, we think it better, under the circumstances

WHITE COMMUTES

HANGING SENTENCE

(Special to The Times-Picayune)
Jackson, Miss., June 14.—Gov. ernor Hugh L. White today com- mitted to life imprisonment the death sentence of Grant Williams, 45-year-old negro who had been sentenced to be hanged tomorrow at Quitman for killing his mother- in-law, Annie Price.

Sheriff C. V. Miller of Clark county earlier in the day said the gallows had been constructed and that plans were complete for the execution. 6-15-39

In commuting the death sen- tence Governor White said he had done so at the request of Judge A. G. Busby, the trial jurist, Dis- trict Attorney Walker Broach, Jr., and numerous Clark county citi- zens. 6-15-39

Sheriff Miller said that Wil- liams had made several unsuccess- ful attempts to end his life by dashing his head against the cell bars.

Several days ago Governor White, after a hearing, announced his refusal to grant clemency to the negro, who East Mississippi state hospital doctors said had the mind of an average 7-year-old child. The governor 10 days ago went to Quitman to talk with Wil- liams.

Pensacola Fla Journal

May 4, 1939

Justice for the Negro

DECISION of the Mississippi supreme court reversing the conviction of a negro for killing a white man is more evidence of the growing regard in the South for the rights of the negro before the bar of justice. Just as in- dicative is the comment of the Jackson (Miss.) Daily Clarion-Ledger, which commends the court and says the decision will be welcomed by most white Mississippians.

The Jackson paper's comment on a matter of supreme importance to every southern community follows:

A half-crippled Adams county negro had been convicted of the murder of a white man and was under sentence to be hanged. The supreme court, reversing the conviction and remanding the case for a new trial, summarized the evidence showing that the convicted negro had never seen the deceased before the fatal meeting, that the deceased mistook him for some other negro who had done him a fancied wrong, that the deceased attacked him with a beer bottle and continued to assault him despite his pleas to bystanders to intervene, and that the negro shot the white man only after trying to get away from him.

The court, intimating that the negro should not have been convicted of any charge more serious than manslaughter, if any, condemned the rare instincts in which "a spirit of community vengeance enters into a jury verdict" and re-stated its own re- sponsibility in such apparent cases to scrutinize the testimony carefully.

This decision may give Mississippi some good publicity but, more important, it also is welcomed by most white Mississip- pians and reflects their views. Cases in which "a spirit of com- munity vengeance" gets into jury verdicts are rare, but when they occur the victims are entitled to and in Mississippi receive pro- tection from the higher courts, and when the evidence does not support the verdict the verdict is set aside.

That is as it should be.

As the negro becomes more and more certain of fair and impartial treatment by white juries and courts, he will become less prone to take the law into his own hands. Each such instance as the Mississippi decision is a step to- ward a more wholesome condition in the South.

NEGRO POLITICAL LEADER IS SLAIN

G. O. P. Chief Ambushed In Mississippi Dies

11-7-39
MOUND BAYOU, Miss. — (AP) — Eugene P. Booze, Negro Republican leader, ambushed and shot four times here last night as he was leaving his office, died early today in a Greenville hospital. His body was brought here for funeral serv- ices and burial. 6-15-39

Booze before his death blamed the shooting by unidentified persons on "political jealousy" in a local feud in this Mississippi town comprised wholly of Negroes.

Several weeks ago a sister-in-law of Booze, Stella Montgomery, was shot and killed by peace officers in the home of Booze, where she had taken refuge from officers looking for her. The officers claimed the woman threatened them with a butcher knife and resisted arrest.

Booze was shot down on a main street of this all-Negro community as he was leaving his office. His chauffeur, Andrew Polk, 29, was wounded in the hip. Booze's wife is Republican national committeewom- an from Mississippi.

Booze said a half-dozen or more shots were fired at him from the darkness, apparently from behind brick pillars across the street. He said he believed he knew who did the shooting or who instigated it.

Booze summoned the officers when the sister-in-law violated a court order forbidding her to enter his home.

Feeling was reported to have been running high at the time and it was reported that Mayor Ben Green was raising a fund to make an investi- gation.

KILLINGS - 1939

Mound Bayou Man's Auto Riddled With Shots From Ambush

Mississippian Slain Few Weeks

After Violent Death of Sister-in-Law

In Which He Reportedly Figured

MOUND BAYOU, Miss.—(SNS)—This all-colored town was flaming with excitement for the second time in less than a month Tuesday following the ambush slaying of Eugene P. Booze, 61, nationally known Republican leader.

Booze was shot late Monday night on Main street as he was leaving his office. White officers from Cleveland and Clarksdale investigating the shooting said the car in which Booze was riding was riddled with 26 bullet holes, including two charges of buckshot. Booze was wounded twice in the chest, once in the shoulder and once in the abdomen. His chauffeur, Andrew Polk, 29, was wounded in the hip, his condition considered not critical.

The political leader's body was returned here from Greenville, Miss., for burial after death Tuesday. It had been rushed to a Greenville hospital, where Booze allegedly described the shooting to "political reasons" and repercussions of the slaying of his sister-in-law, Miss Stella Montgomery, by white peace officers at the Booze home. Booze was said to have summoned the officers who killed the woman when she allegedly threatened him with a butcher knife. Booze, it is stated, called the officers when his sister-in-law violated a court order forbidding her to enter his home.

According to reports, Booze was fired upon in true gangland fashion from the darkness, apparently from behind brick pillars across the street from his office. The victim said he thought he knew who did the shooting or who instigated it. He did not reveal the name of persons he thought responsible for the shooting before his death.

WIFE GOP COMMITTEEMAN

Mr. Booze's wife is Republican National committeeman from the state of Mississippi.

The slaying of Miss Montgomery, presumed by many to have been instigated by Booze, shocked the nation. Miss Montgomery was the daughter of Isaiah Montgomery, one of the founders of Mound Bayou, which carried the reputation of being so peaceful as to not require a jail. More than 5,000 persons attended her funeral here early in October.

Interested citizens are seeking a federal inquiry into the fatal shooting of the woman, it was confirmed this week. Mayor B. A. Green, of Mound Bayou, was quoted as saying officers had no direct cause for killing Miss Montgomery. The deceased woman lived in Mound Bayou and St. Louis, Mo., and was recognized as a Democratic leader.

MISSISSIPPI AMBUSH-KILLING ARRESTS LOOM

MOUND BAYOU, Miss. — (P) — Deputy Sheriff E. S. Dempsey, of Cleveland, said arrests were expected soon in the ambush-killing of Eugene P. Booze, Mississippi Republican leader, in this all-Negro community.

Shots from the darkness felled Booze as he left his office Monday night. His chauffeur was slightly wounded. Deputy Dempsey said Booze gave them enough evidence before his death yesterday morning to enable them to make arrests soon.

Booze was a member of the State Republican Committee for many years. His widow is a Republican national committeewoman from Mississippi.

Booze's sister-in-law, Estelle Montgomery, was shot and killed by deputies sheriff at Booze's house several weeks ago when she violated a court order prohibiting her from entering the Negro's home.

WHITE ACTION FROM NEARBY CITY PRESIDES

Services Held In School
Chapel Of Which Booze

Was A Trustee

(PICTURES ON PAGE 4)

MOUND BAYOU, Miss.
Nov. 17 — Eugene P. Booze, once in the good graces of this town during its pioneer days, went to his grave here last Sunday a much despised man.

He had introduced crime in its ugliest form to a community that had long prided itself in not having a jail-house.

Funeral services were held at the Bolivar County Training school of which he was a trustee, and about 300 people, mostly from neighbor-

ing towns and curiosity seekers formed the audience.

Father Morgan, pastor of Trinity Episcopal church of which Booze was a member, was absent from the city, and other ministers refused to officiate at the rites. A white pastor from Clarksdale of the Episcopal faith was urged to come to Mound Bayou and perform the services.

Buried in Town

The body was interred in Mound Bayou where Booze came as a young man to aid the late Isiah T. Montgomery, founder of the town, in his pioneer work.

Considered to be wealthy, Booze is thought to have suffered some financial reverses within the past year which is attributed to his eagerness to get entire control of the Montgomery estate, resulting in the slaying of Miss Estella Montgomery who clung to the last parcel of her father's property.

Townsmen believing that Booze "felt fully satisfied" over the tragic death of Miss Montgomery turned against him, and out of this hatred an ambush plot was hatched to slay him at the first opportunity. He was murdered early Tuesday night, Nov. 7 as he was leaving his office on West Main street.

Two Fired Shots

District Attorney Ereek P. Rice of Clarksdale and County Attorney Edward Green, both white, who came here to investigate the murder, found that two men fired shots at Booze. One used a shotgun that put 25 lead pellets in his body, and the other used a revolver that found its mark at least four times. They were masked. Two employees of Booze, Andrew Polk, his chauffeur and Joseph Buie, were with him when he was attacked. Polk received minor wounds and Buie escaped unhurt. Both were unable to identify the assailants.

It is the consensus of opinion that the murderers were from another town. However, local authorities are conducting their own investigation and seeking clues with the hope of apprehending the slayers.

Mrs. Booze, widow of the dead man, has not revealed any information regarding the disposition of his will. Booze is survived by three brothers, Fred and Mansfield of Peoria, Ill., and Charles Booze; a sister, Prena Snelson, and daughter, Mrs. Eugene Woods.

Planter Questioned



FRED MILLER

—Well known planter of Mound Bayou, Miss., and one of the first citizens of this all-colored town, was questioned in connection with the ambush slaying of Eugene P. Booze, 53-year old Mississippi Republican State Committeeman, by Attorney E. H. Green, of Bolivar County, and District Attorney Greek P. Rice, Clarksdale, Miss., but was released by the officials a few hours later after convincing them he had no part in the fatal shooting. 11-14-39

Mr. Miller was in Memphis Wednesday, the day following Mr. Booze's death, but would not comment on the case. He is Vice-Mayor of Mound Bayou, and a strong supporter of the present Mayor, Benjamin A. Greene. Although Greene and Miller expressed strong resentment against the slaying of Miss Stella Montgomery by white officers brought into Mound Bayou by Booze six weeks prior to his own violent death, they urged, at the public mass meeting the townsmen to maintain law and order. It is generally believed that Booze was a victim of revengeful wrath that grew out of the killing of his sister-in-law. 11-14-39

Funeral services for the political leader were scheduled to be held Sunday of this week. Following his death in a Greenville, Miss. hospital, the remains of Mr. Booze were shipped to Clarksdale, pending completion of funeral arrangements.

Whether Booze's death marks a close to the bitter feud that has existed for many years between his family and that of the late I. T.

Montgomery, co-founder of Mound Bayou, will depend upon the attitude of Mrs. Mary P. Booze, widow. It is generally believed,

Johnson City, Tenn. Press
November 7, 1939

Negro Voting Boss Is Slain

Republican Leader Lays Ambush To Jealousy

MOUND BAYOU, Miss., Nov. 7. (AP)—Eugene P. Booze, negro Republican leader, ambushed and shot four times last night as he was leaving his office, died today in a Greenville hospital.

Booze before his death blamed the shooting by unidentified persons on "political jealousy" in a local feud in this Mississippi town comprised wholly of negroes.

Several weeks ago a sister-in-law of Booze, Stella Montgomery, was shot and killed by peace officers in the home of Booze, where she had taken refuge from officers looking for her. The officers claimed the woman threatened them with a butcher knife and resisted arrest.

Booze was shot on a main street of the community as he was leaving his office. His chauffeur, Andrew Polk, 29, was wounded in the hip. Booze's wife is Republican national committeewoman from Mississippi.

Hospital surgeons said Booze suffered two wounds in the chest, one in the shoulder and another in the abdomen. Polk's hip wound was not considered dangerous.

Booze said a half-dozen or more shots were fired at him from the darkness, apparently from behind brick pillars across the street.

Officers investigated last night's affray but Deputy Sheriff A. C. Bearman of Cleveland said "no one knows yet who did the shooting." District Attorney Greek Rice of Clarksdale went to the scene immediately.

KILLINGS- 1939

Jackson, Miss. News

February 4, 1939

FROM THE PICAYUNE ITEM--

Last year more than 500 people were killed in Mississippi. To be exact 535. These deaths were not from automobile accidents. They were deaths classed as homicides, yet they had no political significance. No effort was made to have congress pass a law to put a stop to it, or to remove the cause (whiskey) that caused more than half of them. But, two or three negroes were lynched and the President and his wife went on record as favoring the notorious anti-lynching bill that tied congress hog-fashion last session, and will do the same thing again and again, if it comes to the floor for discussion.

Lynching as a means of administering justice or getting revenge is odious to us. We do not like it. We do not think men who are safe and competent to administer justice will take part in many of them that have been perpetrated in this and other states. We do say this, that there have been crimes committed by men for which lynching or any other form of punishment was too good, both for the criminal and society at large.

To bring to public attention again the anti-lynching bill, means the creation of a disturbance much worse than lynching itself. A man is not likely to be lynched if he is halfway human in his criminal career. And, too, that form of punishment is on the decline; in fact, it has faded into insignificance as compared with deaths caused from other revengeful acts, but for a political plum, the issue is overripe and even Mrs. Roosevelt has to do a little missionary work, politically speaking, by advising thousands of her colored friends that she is in favor of bringing the issue up and passing it.

The anti-lynching bill cannot be classed as a thing in the world but a political issue. As we stated, it is not a growing menace, it is on the decline and there is absolutely no reason to aggravate the matter further. If there is anything that will disrupt the Democratic party passage of such a bill will. Possibly that is one reason the Republicans would like to see it go over.

MURDER

CORINTH, Miss., Mar. 9. (ANP)

Wesley Hughes, Tipton county white man, was under arrest this week on a murder charge preferred by County Attorney Hugh Hopper following the death of McRae hospital on Jennings, colored oil mill worker, who succumbed, police say, from a pistol wound through the neck suffered a week ago.

Jennings was shot last Wednesday as he was en route home from his day's work at the oil mill. Police quote witnesses as saying that as Jennings passed a colored dance hall, he was hailed by four white men, and as he approached one of the men fired, the bullet severing an artery in Jennings' neck.

The men drove off and were not seen again until their arrest on Friday by Deputies Leon Potts and Ed Morgan. Officers named Hughes' companions as Clifford Jones, Roy Bass and Jim Clark. They were later released on bonds of \$500 each. Preliminary hearing for Hughes on the murder charge was set for Friday at the courthouse here before Justice of the Peace J. E. Gray.

ASK PROBE OF SHOOTING IN MOUND BAYOU

Want Attorney General to Investigate Death of Estella Montgomery

MOUND BAYOU, Miss.— (ANP) — Last Sunday as more than 5,000 mourners crowded Bethel A. M. E. church here to pay their last tribute at the bier of Estella Montgomery, a request was sent

MISSISSIPPI

from St. Louis, Mo., to Attorney General Frank Murphy of the U. S. department of justice, for an investigation into the fatal shooting of Miss Montgomery on October 1, at the Mound Bayou home of her brother-in-law, Eugene P. Booze.

The letter to the attorney general was sent by G. R. Fox of St. Louis, Miss Montgomery's secretary and invested by her with power of attorney. Here on a visit from her home in St. Louis, Miss Montgomery was reportedly shot nine times by two white deputy sheriffs, in the presence of Booze.

According to reports of the tragedy, the sheriffs went to the Booze home to force Miss Montgomery to leave, and after they broke down the barricaded door she menaced them with a butcher knife. They claim to have fired in self defense.

Miss Booze was the daughter of Isaiah Montgomery, one of the founders of this all-Negro town, and a sister of Mrs. Mary C. Booze, G. O. P. national committeewoman for Mississippi.

It was learned this week that as a result of the request of a number of citizens, headed by Mound Bayou Mayor B. A. Green, the body will be held here for 10 or 15 days, pending the investigation, after which time it will be shipped to St. Louis for burial. Mayor Green was reported as contending that the claim that Miss Montgomery attacked the deputies with a butcher knife is supported by insufficient evidence. It was also stated that the victim was shot in the back.

Fox stated in his letter to Attorney General Murphy: "As official representative of Estella Montgomery, I would ask the department of justice to investigate the true conditions at Mound Bayou and to institute immediately such steps as may be necessary to bring to a speedy trial all persons who are implicated in the brutal and untimely death of Estella Montgomery."

At last Sunday's funeral services here, the principal eulogy was delivered by Dr. H. W. Jennings, Bethel church pastor and others on program were: Fred Miller, cotton buyer; Dr. A. O. Pernell, pastor, First Baptist church, Mound Bayou; the Rev. A. W. Walker, Amato, La.; W. F. Davis, local planter; the Rev. A. A. Thompson, pastor, Mt. Olive Baptist church; the Rev. H. M. Knowley, local minister; the Rev. S. F. Franklin, Port Gipson; Mrs. T. B. Walker, local school principal and Mrs. Katie Ailes, grand high priestess, Knight and Daughters of Ta-

bor.

Miss Montgomery was prominent in civic and political circles in Mound Bayou. She was a prominent Democrat and would often hold political mass meetings attracting thousands of Negroes about her. She also busied herself in religious activities.

After finishing her public school work at Mound Bayou she took college work at Alcorn and M college and has attended some of the largest schools in America. She was one time special assistant to her father when he and the late George Banks were in business.

Miss Montgomery is survived by three sisters, Mrs. Mary C. Booze, Mrs. Eva P. Canton and Miss Lillie Montgomery; one son and daughter, Harvey Kent, St. Louis, and Mattie Wellington of Lebanon, Ill.

FARMER CONVICTED IN DEATH OF NEGRO

Wesley Hughes Of Tipton Gets 15 Years In Prison

Special to The Commercial Appeal

CORINTH, Miss., Oct. 20.—Wesley Hughes, Tipton county farmer was found guilty of the fatal shooting of Sam Jennings, negro employee of Buckeye Cotton Oil Co., by a Circuit Court jury today. The jury recommended mercy and Judge Claud Clayton of Tupelo sentenced Hughes to 15 years in the penitentiary.

This is one of the few cases on record in Alcorn County where a white man was convicted of killing a negro.

Jennings was killed last February in front of a dance hall in South Corinth. Hughes and three companions, Jim Clark, Lloyd Bass and Clifford Jones, was backing out of the dance hall driveway as Jennings passed on his way home from work. One of the men called the negro to the car and after a few words, a shot was fired and Jennings fell, mortally wounded.

The case was tried twice during this term of court. The first jury failed to agree, and Judge Clayton extended court one week and reset the case for last Thursday. Testimony and argument consumed the day and the jury got the case late last night.

COLORED LEADER SLAIN; 2D DEATH IN FEUD POLITICS

Mound Bayou, Miss., Nov. 7 (AP).—Eugene P. Booze, Negro Republican leader who was shot from ambush here last night as he was leaving his office, died today in a Greenville hospital.

Booze, before he died, attributed the shooting to political jealousy in a local feud in this town comprised wholly of Negroes. His chauffeur, Andrew Polk, 29, was wounded.

Several weeks ago a sister-in-law of Booze, Stella Montgomery, was shot and killed by police in Booze's home. Officers declared the woman threatened them with a butcher knife when they tried to arrest her for violating a court order to stay out of the Booze home.

NEGRO OFFICIALS AT MOUND BAYOU DEPLORE KILLINGS

(Special to The Times-Picayune)
Clarksdale, Miss., Nov. 9.—

"Mound Bayou's best citizens deplore recent killings there and would like to assure friends of the all-negro town in all parts of the United States that the experiment undertaken in Mound Bayou for several decades to prove that negroes can govern themselves will go on," Benjamin A. Green, negro mayor of Mound Bayou, declared today.

Bolivar county authorities meanwhile continued to seek for the slayers of Eugene Booze, negro Republican leader, who was shot from ambush at Mound Bayou Monday night and who died Tuesday morning at a negro hospital at Greenville.

"Mound Bayou is a monument humble in its nature to the faith, hope and intelligent leadership of the negro race," he said. "The tragedies which have occurred in Mound Bayou, the first in the town's history, will not stop our efforts to prove that the negro is capable of self-government."

Mound Bayou has returned to normal life after the upheaval resulting from the slaying of Booze, Green said.

Green, first male child born in Mound Bayou, is the son of Benjamin T. Green, cofounder of the

all-negro town. He recently was elected for his 10th consecutive term as mayor.

County Attorney E. H. Green of Cleveland said today no arrests have been made for the slaying of Booze, member of the Mississippi Republican state committee and one of the town's leaders.

"Evidence on the case is accumulating but we are not prepared to reveal the results of the inquiry," he said.

The Booze killing followed the death of Stella Montgomery, St. Louis negro woman and Booze's sister-in-law, who was shot when she attacked officers with a butcher knife during the early part of October. Officers said that while the death of Booze might have resulted from ill-feeling among negroes over the Montgomery woman's death, there is no evidence yet to link the two deaths.

The Montgomery woman was slain at Booze's home, which she was forbidden to enter on a court order. Officers had a warrant for her arrest when she was slain. She was a sister of Mary Booze, Booze's widow, who is Republican national committeewoman from Mississippi.

Mayor Green raised a fund among negroes to investigate the killing of Stella Montgomery. The case was dropped several weeks ago.

GANG-STYLE KILLING STIRS NEGRO TOWN

Eugene P. Booze, Leading
Citizen, Is Slain From
Ambush.

MOUND BAYOU, Miss., Nov. 7. (AP)—The half-century-old calm of this all-black community, nationally known as an example of negro thrift and self-government, was deeply stirred today by the ambush slaying of the town's leading citizen Eugene P. Booze, son-in-law of Isaiah T. Montgomery, former body servant to President Jefferson Davis, the Confederacy, and the town's founder.

White officers from Cleveland and Clarksdale descended upon the town today to investigate the killing, carried out last night in the approved gangster style. Booze's car was riddled by 26 bullet holes, including two charges of buckshot.

It was one of the few major crimes in the 52-year-old history of the town, so law-abiding that it got along without a full-time peace officer or courts, and a few years ago proudly tore down its jail as unnecessary.

Booze, whose wife is Republican national committeewoman from Mississippi, and one of the best known negro women in the United States, and who himself was a member of the Republican state central committee, lived long enough in a Greenville, Miss., hospital to allegedly ascribe the slaying to "political reason," which reference was not explained. He died early today, the body being returned here for burial.

SEES GANGSTERS' HANDS IN KILLING AT MOUND BAYOU

Rice Sifting Dying Statements of Booze, Leader of Negroes

(Special to The Times-Picayune)
Clarksdale, Miss., Nov. 8.—Bolivar county officials investigating the death of Eugene P. Booze at Mound Bayou today sifted facts obtained in dying statements of the negro Republican leader. Booze, who died Tuesday at a negro hospital at Greenville as the result of bullets poured into him in front of his law office at Mound Bayou Monday night, gave information that may lead to arrests, District Attorney Greek L. Rice declared here today. Rice refused to divulge the nature of the Booze disclosures. Today several suspects were questioned.

Bolivar county authorities are working on the theory that the victim may have been slain by gangsters imported to Mississippi by Booze's enemies, District Attorney Rice said. He added that this was only a theory, but a number of factors in the case indicated that the killing might have been done by professional gangsters.

Probably Dozen Involved

"Probably a dozen persons are involved in the killing," District Attorney Rice said. "It was the result of a political feud."

Fred Miller, Mound Bayou newspaperman and bookkeeper,

held for 24 hours in the Coahoma county jail at Clarksdale for investigation in connection with the killing of Booze, was given his liberty today on instructions of the district attorney. Miller established "an air-tight alibi," Rice said.

Funeral services for Booze will probably be held Sunday pending arrival of a number of friends of the dead negro political leader and relatives from the North.

Mound Bayou, which has been in a turmoil since the death of Booze, returned to normal today. Guards stationed there last night by Bolivar county authorities were recalled to Cleveland.

The killing of Booze has increased interest in the all-negro town and tourists are flocking there, a report from the town said. Mound Bayou was established by the late Isaiah T. Montgomery, former slave and body servant of President Jefferson Davis of the Confederacy, and his cousin, Benjamin T. Green, in 1887. Booze was a son-in-law of Montgomery.

The idea of an all-negro settlement had its conception before the War Between the States on Brierfield Plantation, owned by Davis, where Montgomery was a slave. The first settlement was made in 1865 on the Brierfield Plantation, 21 miles south of Vicksburg.

Ousted by Floods

After operating successfully for 20 years, the colony was abandoned because of recurrent floods.

The majority of the inhabitants went to Mound Bayou when Major George W. McGinnis, in charge of the land department of the Yazoo and Mississippi Valley railroad, invited Montgomery and his followers to locate there. The first settlers went in July of 1887. In 1898 the village of Mound Bayou, which numbered 183 persons, was incorporated. In 1912 the village was given the status of a town. Since that time it has operated under an aldermanic form of government. It now has 1000 inhabitants.

For Mound Bayou's Good

Almost from the time of its founding Mound Bayou, all-negro community of Mississippi, has been free of crimes of violence and has been a model of what a community can be from a standpoint of law observance and neighborliness. A few weeks ago a daughter of the town's founder was shot to death by officers in the home of her brother-in-law, a person of considerable political influence in the community, who had obtained a warrant for her arrest.

Monday night this same political leader was shot to death from ambush on the main street of the town. It may develop that the latest slaying was an outgrowth of the first and of intense feeling said to exist in the community. In any event, it is important that Mississippi authorities make every effort to bring the slayers to justice and to reveal the facts of both slayings. Under no circumstances should the two incidents be dismissed as merely difficulties between negroes in which the state has no interest.

Strict and impartial law enforcement has a major stake in what has occurred at Mound Bayou, and it is to the state's interest as well as for the good of Mound Bayou that Mississippi's judicial processes exhaustively examine and act in the present situation, not only that justice be done, but that present feeling be prevented from developing to the point where it becomes a feud and exacts feudal price.

VICTIM IN REVENGE PLOT

Arrest Two In *Arrest 11-10-39 H. S. Montgomery* Booze Murder

BULLETIN
News reaching St. Louis at 6 p. m. Thursday night was to the effect that a machine gun was evidently used in the slaying of Eugene P. Booze, as 21 bullet holes were found in his automobile.

BULLETIN
Reports reaching St. Louis at press time are to the effect that two suspects have been arrested in the mysterious slaying of Eugene P. Booze.

MOUND BAYOU, Miss. (Special)—Finis was written in the colorful career of Eugene P. Booze early Tuesday morning, when gunshot wounds received Monday night proved fatal, to Booze as he lay in the Kings Daughter's hospital in Greenville. Four slugs had been fired into his body as he left his Mound Bayou office on Monday night. One of the slugs intended by the ambushed assassin for Booze landed in the body of Andrew Polk, Booze's chauffeur, and he is recovering in the hospital.

Ereek P. Rice, district attorney and Edward Green, county attorney, both white law officials of Clarksdale were on the scene early Tuesday morning to conduct an investigation.

VIRTUALLY OSTRACIZED

Since the slaying of Miss Estelle Montgomery here by white officers called by Booze to oust her from her father's home, Booze has practically walked alone in the town. At a meeting attended by over 500 last week, irate citizens demanded that Booze be banished from the town, as "He sets a bad example for the youth of the Race" and that his influence for good and respect in the community has been destroyed by the part he played in accomplishing the death of his wife's sister, charged the angry citizens.

Booze has since the death of the late Isaiah T. Montgomery, handled the vast Montgomery estates here. There had always been a feud between Miss Montgomery and Booze as she claimed he used the estate for his own benefit, instead of as her father had wished.

Bookkeeper Faces Quizzing *Commercial Appeal 11-8-39* In Negro G. O. P. Chief's Death

Special to The Commercial Appeal

MOUND BAYOU, Miss., Nov. 7.—Dist. Atty. Greek P. Rice of Clarksdale announced tonight the detention of Fred Miller, a 45-year-old negro bookkeeper for questioning as the calm of this all-negro community was stirred by the ambush slaying last night of Eugene P. Booze, 53, negro Republican leader in Mississippi, and the son-in-law of Isaiah T. Montgomery, former body servant to President Jefferson Davis of the Confederacy and the town's founder.

While Hinds County officers probed all angles of the shooting—carried out in approved master style—which resulted in the death early today of Booze in a Greenville hospital, Mr. Rice said Miller was arrested at Clarksdale this morning by city police on his orders and taken to an unannounced jail. Miller was questioned tonight.

When Booze's car was riddled by 26 shot as he stepped from his law office with the driver of his car, Andrew Polk, and was struck four times by blasts from shotguns, it was one of the few major crimes in the 52-year-old history of the town, so law-abiding that its jail was torn down a few years ago as unnecessary.

Booze, whose wife is Republican National Committeewoman from Mississippi and who himself was a member of the Republican State Central Committee since 1924, lived long enough in the hospital last night to ascribe the shooting to "political jealousy," on which he did not elaborate.

Meanwhile, Mr. Rice said he believed there was more than one assailant and that he had "some valuable information" on which to work. Coroner C. C. Thweatt said he would hold an inquest tomorrow or Thursday, as soon as the evidence was formally introduced.

Booze's body was returned here this morning for funeral services which will not be held until relatives arrive from New York.

The killing was the second violent death here recently, and one of the few in 40 years since an "outsider" murdered Benjamin T. Green, father of the present mayor, Ben Green, and a cousin of Founder Montgomery. Stella

Booze, daughter of Montgomery and sister-in-law to Booze, was killed six weeks ago by two officers when she resisted arrest with butcher knives in Booze's house, after he called officers to eject her. She had been banned from the house by a court order and had gone to St. Louis, but refused to re-enter Booze's property.

Citizens under leadership of Mayor Green later began collecting a fund to investigate the death.

Both pistol bullets and buckshot were taken from Booze's body, his automobile being penetrated from side and rear. Polk, the driver was shot in the hip.

Montgomery, slave in the Davis household and freed by the war, was chosen by Joseph Davis, elder brother of the President of the Confederacy, to found a plantation and all-negro colony to unite liberated slaves. He established this for 13 years on the old Davis plantation.

Later through aid of the Yazoo and Mississippi Railway Mound Bayou was chosen in 1887, and 30,000 acres of impenetrable brush, cane and timber was set aside for the experiment. Of many such projects attempted, this was the most successful.

Mound Bayou has grown to 1000 population, with 8000 negroes living on farms adjacent. The negroes have been self-governing, and their boast is they have lived with complete self-respect, and well-being.

Until his death in 1924 at the age of 80, Montgomery ruled the community with an even hand, virtually stamping out all crime through educational methods.



Defender 11-11-39
Eugene P. Booze and his wife, Mrs. Mary C. Booze, National Republican Committeewoman from Mississippi, on the steps of their home in Mound Bayou, where Booze was shot and seriously wounded Monday as a repercussion of the recent killing by white officers of his sister-in-law, Miss Estella Montgomery. Following the tragedy citizens had urged Booze to leave the city. His assailant escaped and is unknown.—Defender photo.

Police Kill Sister Of Mrs. Booze

Only word
Victim Was

Daughter Of

10-9-39
I. Montgomery

Attorney
MOUND BAYOU, Miss.—(ANP)

Miss Stella Montgomery, 45, sister of Mrs. E. P. Booze, Republican national committeewoman for Mississippi, and daughter of Isaiah Montgomery who founded this all-Negro town in 1888 was shot and killed by two white officers while allegedly resisting arrest Sunday night.

The officers, Fred Connor of Merigold and Clayton Dempsey of Cleveland, Miss., said Miss Montgomery tried to attack them with a butcher knife when they sought to serve a warrant upon her at the Booze house. The husband of Mrs. Booze is the state Republican national committeeman.

STANDING FEUD

Events leading up to the slaying are the result of a long standing feud between Miss Montgomery and Mr. Booze. Miss Montgomery, who is understood to have been a graduate of Oberlin college, believed her brother-in-law was the cause of her father's death a dozen or so years ago. She succeeded in bringing Mr. Booze to trial on charges of having poisoned Isaiah Montgomery but Mr. Booze was exonerated.

Since then she took up residence elsewhere, returning here only on visits. Mr. Booze, a year ago, obtained a court order forbidding her to enter his home. A few days ago she came here from St. Louis and the arrest warrant was issued for violation of that order.

NINE SHOTS FIRED

Officers said they went to the Booze home about 11:30 Sunday

night and when they crashed through a door she refused to open she tried to attack them with a butcher knife and a switch. Nine shots were fired, four striking and killing Miss Montgomery.

Mr. Booze, who said he witnessed the shooting, asserted that "if the officers hadn't acted instantly they, instead of Stella Montgomery, would have been killed."

MOUND BAYOU AROUSSED: RAP BRUTAL KILLING

10-13-39
MOUND BAYOU, Miss., Oct. 12

—Resentment over the verdict at a preliminary hearing which absolved officers of blame in the wanton slaying of Miss Estella Montgomery, 57, daughter of Isaiah Montgomery, founder of this all-Negro community, flamed the already smoldering embers of incensed public opinion to a fever heat this week.

Citizens, aroused over the slaying of Miss Montgomery by white officers from another county who were led by the woman's brother-in-law, Eugene P. Booze last Saturday night, have been outspoken in denouncing what has been termed as nothing short of "brutal murder."

Miss Montgomery was shot and killed, her body riddled by nine bullets at midnight, Oct. 1, after she had refused to vacate the home which her father had built, and which she felt was rightfully hers.

LETTER TO MURPHY FULL OF DYNAMITE, ACCUSATIONS 'HOT'

Conn
G. R. Fox, Secretary of Slain Woman, Makes Sensational Charges to Attorney-General—Asserts Eugene Booze Seized Authority.

Staff Correspondent
BY E. N. DAVIS
(Staff Correspondent)

ST. LOUIS, Mo., Oct. 12.—G. R. Fox, 1438 Pendleton street, this city, appointed secretary to Estella Montgomery January 11, this year, and invested with power of attorney, in a letter mailed Monday, October 8, to Attorney General Frank C. Murphy, United States Department of Justice, of Washington, D. C., implored the federal government to intervene and to investigate the fatal shooting of Miss Montgomery at Mound Bayou, Miss., Sunday night, October 1, in the home of Eugene P. Booze.

Miss Montgomery, said to have been warned to stay out of Bolivar county in which Mound Bayou is located, was shot nine times by sheriff's deputies. They stated that Miss Montgomery refused to admit them and that after they broke the door to the Booze home down, Miss Montgomery confronted them with a butcher knife and cut one of them.

G. O. P. NATIONAL COMMITTEEWOMAN

She was then slain, allegedly as E. P. Booze, husband of her sister, Mary C. Booze, looked on. Mrs. Booze is Republican national committeewoman from Mississippi.

Mr. Fox's letter to Attorney General Murphy contains a bitter and criminal indictment of Mr. Booze, one of the most prominent political and civic figures in the state of Mississippi. It contains matter which doubtless would not have been made public except for the extraordinary situation created by the tragic death of Miss Montgomery.

ONLY SOURCE OF GUIDANCE

To Attorney General Murphy Mr. Fox wrote:

"As the sudden death of Miss Montgomery removed from the

people of Mound Bayou their only source of intelligent consultation and guidance, I instructed Harvey Kent (Miss Montgomery's son and an employee in the public schools) by registered letter, dated October 6, 1939, to act as grand deputy to appoint others, and in the name of the United States to immediately proclaim a Christian government in the interest of 'law and order' to remain in force until further notice from the proper officials of the federal government.

"I warned him that there should be no bloodshed. I submitted this suggestion solely as an act in harmony with the views and opinions which had been expressed by Miss Montgomery on many occasions and which was in accord with the work begun more than 50 years ago by Isaiah T. Montgomery, father of the dead woman and founder of Mound Bayou."

SUBJECT ONLY TO U. S. GOVERNMENT

Mr. Fox's letter continues to disclose some little known information about Mound Bayou. According to the story he tells, Mound Bayou, founded on lands belonging to the Choctaw Indians in the "territory," not the state, of Mississippi, is still subject to control of the federal government. Only three persons are in possession of this secret, he states. His letter to the attorney general reads further:

"Mound Bayou was founded solely for the purpose of the education of the Negro slave to a knowledge of American citizenship, such knowledge to be gained by practical

experience in the development of their own institutions.

"By virtue of the location of Mound Bayou on Choctaw Indian lands in the 'territory,' not the state, of Mississippi, the inhabitants had recourse to the federal courts of the United States government for redress.

ONLY THREE PERSONS KNEW

"This information was possessed by three persons only in Mound Bayou; namely, Estelle Montgomery, Eugene Booze and Benjamin Green, mayor of Mound Bayou, appointed by Booze and a confederate of Booze."

Mr. Fox proceeds from this point on to level his charges, supported by the word of the dead woman, at Booze, brother-in-law of the slain woman. He writes:

"It was with this knowledge that Booze persecuted the inhabitants of Mound Bayou, raping the younger sister of Miss Montgomery, using the hyperdermic needle on his wife, sister of Miss Montgomery, and also on the younger sister, mentally incapacitating them to the extent that they were confined in a sanitarium for their recovery, poisoning Mr. Montgomery, arresting Estelle twice for insanity, the charges being untrue as attested by the verdict of the court, burning the post office and the general store and committing other vicious and brutal acts, including murders. The above accusations were cited to me by Miss Montgomery."

ASSERTS BOOZE SEIZED AUTHORITY

Continuing his attack on Mr. Booze, Fox writes:

"It was with this knowledge that he (Booze) assumed authority and discarded the Mound Bayou jail and set himself up as 'the law' unmolested by virtue of the fact 'that the jurisdiction of the 'State of Mississippi' whose boundaries extend from Jackson south to the Gulf of Mexico and from Vicksburg on the west to Meridian on the east, but did not extend to the 'Territory of Mississippi,' which includes the Choctaw lands, Northwest Territory of the Mississippi, and the Chickasaw lands, Northeast Territory of Mississippi."

"In conclusion, as official representative of Estelle Montgomery, I would ask the Department of Justice to investigate the true conditions at Mound Bayou and to institute immediately such steps as may be necessary to bring to a

speedy trial all persons who are implicated in the brutal and untimely death of Estelle Montgomery."

GREEN STARTS PROBE

Three days before Mr. Fox wrote the attorney general, Benjamin Green, Harvard educated mayor of Mound Bayou, stated that a thorough probe of the circumstances surrounding the death of Miss Montgomery would be made. The remains of the dead woman will be interred in the town which her late father founded in 1888.

KILLINGS - 1939

Torture Victim Is Burned at Stake; Body Found Near Gay Night Resort

ATTIRE GASOLINE SOAKED

(Special to The Times-Picayune)
Fort Lee, N. J., June 13.—Tied to a tree on the New Jersey Palisades, the charred body of a middle-aged man, possibly a Dewey witness, confronted police today with the most vicious murder of a decade. With a towel wrapped around his head to muffle his cries, the helpless victim had been tortured by fire, then burned at the stake while hundreds danced and dined only 200 feet away in Ben Marden's fashionable Riviera night club.

The body was found by a WPA watchman. It was burned beyond recognition. "Murder by fire," declared Captain John B. Clark, in charge of the New Jersey division of the Interstate Park police, after an all-day investigation.

As he reconstructed the crime, the partly bald, 45-year-old potential squealer had been seized in Brooklyn, placed in a car with a gun at his ribs, and carried across the George Washington bridge onto the highway leading to Interstate Park near here.

The man, believed by police to have been a resident of Brooklyn, had been strapped tightly to a tree with radio wire. Hundreds of packages of paper matches were stuffed in his pockets and a huge bunch tied to his left foot, from which his assailants had removed shoe and sock.

The foot burning, police believed, might have been a torture which preceded the actual torch murder.

The killers did not rely entirely on the matches, but soaked the victim's clothing with gasoline. Their method was so effective that flames spread outward into the grass for 30 feet, and the 30-foot tree was scorched almost to the top.

The gasoline can, which bore the name of a Brooklyn firm, was found near the body.

MAN BURNED ALIVE BY JERSEY SLAYERS

Body, Wired to Tree, Found in Woods Near Palisades—

Police Seek Identity

6-14-39

Dewey Aides Join Attempt to Solve Murder Mystery on Scant Clues

Special to THE NEW YORK TIMES.

FORT LEE, N. J., June 13.—Burned beyond recognition, the body of a middle-aged man, apparently a murder victim, was found this morning, one leg wired to a tree, in dense woods along the edge of the Palisades in Palisades Interstate Park, about 300 feet north of Ben Marden's Riviera restaurant.

Tonight Bergen County authorities were still seeking a clue. Attempts were being made, without much hope of success, to obtain fingerprints from the charred hands of the victim. Other possible means of identification were cleaners' marks inside the man's coat, which was not burned, and in dental plates and bridges.

An autopsy showed the man had been dead about ten hours when the body was found. He was alive when the murderers set fire to his clothing after soaking it was gasoline, Dr. Raphael Gilady, county physician, reported.

Dewey Aides Join Inquiry

On the chance that the victim might be connected with one of District Attorney Thomas E. Dewey's racket investigations, the New York prosecutor's office was informed. Lieutenant William Graff, necker, head of the detectives assigned to Mr. Dewey, and Detective James Cashmore hurried to the scene and attempted unsuccessfully to identify the murdered man as the one of the several persons sought by Mr. Dewey.

As the Bergen County authorities reconstructed the crime, the murdered man was taken into the woods, probably unconscious, from an automobile parked on Hudson Terrace, a roadway parallel with the Palisades, about 150 feet from where the body was found.

His coat, vest and hat were taken off and thrown on the ground, the police deduced, after which the man was wired to the tree. A large turkish towel was wrapped around his head and secured at the neck with a strongly knotted tie. Matches were placed in each pocket and the trousers were dropped to drape around the victim's ankles. Then,

NEW JERSEY

the police believe, he was sprinkled with gasoline—a partly empty can of the fluid was found near the body—and the murderers ignited his clothing with matches. A half empty box of large wooden-stick matches rested beside the gasoline can when the police arrived.

The body was found by Jacob Hirsh of Fort Lee, a WPA watchman whose job it is to keep people from straying too near the edge of the Palisades. He notified the police, and detectives in charge of Chief of County Detectives Henry B. Lockwood arrived and took charge.

Fire Burned Briefly

They discovered that the gasoline blaze had shot more than twenty feet in the air and had seared a circle thirty feet in diameter. The fire burned briefly, it was explained, and for that reason was not discovered last night. The police found a waiter at the Riviera had noticed a blaze in the woods about 10 o'clock last night, but it had died away before it could be traced.

In addition to the suit, an inexpensive gray check, the man wore long-sleeved white cotton underwear, to which gray socks were pinned, and black oxfords. He wore no shirt.

In the coat and near it the police found two pair of eyeglasses, one pince-nez and the other tortoiseshell, both of the type sold in low-price department stores. The occultist whose name appeared on their case said he had not sold the glasses.

Among other effects were a worn gold watch, a black enamel cigarette case containing two cigarettes cut in half and a green pocket knife. From the half cigarettes the police deduced the victim might have been a waiter. Waiters, they explained, often carry half cigarettes so they can smoke briefly and economically. No money was found.

The man was about 50 years old, partly bald, weighed some 150 pounds and was 5 feet 6 inches tall, the police said.

A worn gray felt hat, found with the coat and vest, bore inside the leather band the name Wildman. They expressed hope that this might help in establishing the identity of the murdered man.

FIND BURNED

BODY OF A MAN ROPED TO TREE

New York, June 13.—[Special.]—A man was found today tied to a tree and burned to death in Fort Lee, near the New Jersey end of the George Washington bridge. Although the body was only 200 feet from a night club, there was no word of the fire until a WPA worker found the body.

The man had been saturated with cleaning fluid, to which fire had been set. Grass was burned for 30 feet around the body. Marks on the clothing were checked in an attempt to identify the man, who was middle aged.

Henry B. Lockwood, chief of Bergen county detectives, said there were two possibilities—that the man might have been murdered, or that he might have committed suicide in involved fashion. The man wore only long winter underwear and a pair of trousers. Matches had been stuffed into the pockets, presumably to make the fire burn more fiercely.

Cleric's Killer Offers a Plea, Trial Needless

HACKENSACK, N.J. — With the State prepared to ask for her to pay the extreme penalty for the slaying of the Rev. George Washington Armstead on November 1, Mrs. Claudia Sumner made a trial unnecessary, Friday, when she shifted her plea from guilty of first-degree murder to guilty of second degree.

The plea was accepted by Prosecutor J. J. Breslin, who said that the prisoner would be sentenced on January 30. Mrs. Sumner got off from work on November 18, borrowed her husband's auto, rode to Fairlawn, and shot to death the Rev. Mr. Armstead.

Victim of Disease

Despite the failure of the State to exact a life for a life, Dr. Rafael Gilady, county physician, has reported that the woman has a disease which will, in his opinion, cost Mrs. Sumner her life in the near future.

An autopsy performed upon the Rev. Mr. Armstead revealed that he suffered from the same disease. In fact, Mrs. Sumner has said that she killed the minister because he transmitted the disease to her, then refused to give her money for medical attention.

KILLINGS. 1939

NEW MEXICO

SHERIFF INSISTS 'EVERYTHING IS UNDER CONTROL'

By JAMES W. PARKER
Staff Correspondent

LOVINGTON, New Mexico., July 27—Three race members were accused and placed in jail following the Sunday morning killing of a white man, and brought what was believed to be a complete exodus of the town's small Negro population.

The sheriff, Horace Owens said he would file murder charges against Clarence Martin, 39, whom he quoted as confessing in a signed statement, the slaying of Gordon Reynolds, 40, a white garage employee. *former*

Reynolds' body was found early Monday morning near the home of a friend whom he said he was going to visit, when last seen which was about midnight. His head was crushed and a coroner's jury found he had been beaten to death with a rock. *29*

QUARREL OVER MATCHING COINS

The sheriff said he also had learned that Reynolds and Martin quarreled while matching coins. Held with Martin were Joe Hutchins, 31, whom Owens said would be charged with harboring a fugitive, and Raymond B. Hill, 26, arrested as a material witness.

It is estimated that 30 or 40 families in Lovington had fled the city leaving their belongings when they became alarmed at the threats and mutterings.

"CRAZY RUMORS" CHARGED BY SHERIFF

Sheriff Owens, however, deprecated what he termed a lot of "crazy rumors," said the townspeople were taking this very sensibly," and said he expected no trouble.

After street talk was heard mentioning possibility of a mass meeting, a group of Negroes appealed to the sheriff for protection. He gave them assurances that their homes and property would be protected, and a short time later the town's colored population began to

KILLINGS-1939

NEW YORK

RAPED, SLAIN AND ROBBED IN HOUSE

Seek Husband's Best
Friend To Query
Him On Death

The victim of a brutal robbery, rape and murder was found in her bed at 2825 Eighth avenue, Saturday afternoon, when the dead woman's sister pushed open the door of apartment 17, which was slightly ajar. A chair was overturned in the kitchen, a bureau drawer emptied out on the floor of the living room and the bedroom was in wild disorder, the sister, Mrs. Grace Lucas of 22 Bradhurst avenue, observed going through the apartment. Then she came upon the body of her sister, Mrs. Margaret Quarles, 20, lying on the bed. Little Ronnie, less than two years old, was crying in his crib.

A piece of rope had been tied around the young woman's wrists but had been broken in the struggle as the murderer choked out her life with his bare hands, police believe. The young wife's husband, William Quarles, was summoned from his work as elevator operator at 4 Pinehurst avenue, Washington Heights. It is believed that the killer was someone the deceased knew. A close friend of her husband, who frequented the house and whom the husband is said to have befriended many times, is suspected of the brutal crime.

The extraordinarily attractive young woman is said to have been about to prepare for a family reunion at her home on Sunday, the next day. Patrolman John Johnson put in a call for Detectives Prinz, Brady and Barts of the 32nd Squad who are searching for the perpetrator. A husband, infant son, mother, two sisters and two brothers survive.

Wednesday night Reuben Thompson, 42, a WPA worker who lived at 34 West 118th street was stabbed to death during an altercation with one Henry Saunders, 71 West 133rd street over the latter's wife. Paul Bazemore, 24, 265 West 122nd street, who was shot by a detective whom he kicked down the stairs following a hold-up last Saturday night at 157 West 123rd street, died on Wednesday at Harlem Hospital. The Bronx Grand Jury indicted Mrs. Mabe

Farmer, 38, 871 Home street of the murder of her husband, Howard. She was arrested by Detectives Reilly and Dunn of the 41st Squad.

Ernest Beggs, 19, 275 West 140th street, and Howard Patterson, 20, 116 West 136th street are in critical conditions at Harlem Hospital from gunshot wounds sustained during the hold-up of a second-hand dealer, Arthur Sesler at 2651 Eighth avenue on Friday morning.

Does Harlem Have Murder Every Day?

NEW YORK—Harlem has a "murder a day" according to Councilman Joseph Clark Baldwin, but he insists that he is in error when he says they do not take the time to even record Harlem's violent deaths.

Baldwin has asked Mayor LaGuardia to order a full investigation of Commissioner Valentine's force, insisting that the police are lax and inefficient.

Figures Vary

Inspector John J. Donovan, in charge of criminal identification and statistics, said there had been only 272 murders or manslaughters in all New York in 1938 and only 82 of these were in Harlem.

Councilman Baldwin told Mayor LaGuardia, Saturday, that he could not reveal where he got his information that there were 365 murders in Harlem in 1938.

Capt. James C. Pritchard, commander of Harlem detectives, testified before the State Temporary Commission on Saturday that there were only 71 homicides in Harlem last year, 124 in 1933, and 114 in 1934. There were 109 in 1935, and 119 in 1936, he stated.

"We know them all and we report them all," Pritchard said.

White Girl Attorney Defends Negro Client

NEW YORK, March.—The fate of James Pryor, 23 and colored, accused of the murder of a white girl, a criminal lawyer, Estelle B. Barb, in her first murder case, she instructed her client to plead not guilty to the fatal shooting of Malcolm Renier, 1885 Madison avenue. Renier was slain January 28 at his home. 3-16-39

The youthful counsellor and her client appeared in General Sessions Court on Monday.

To Probe Carolina Slaying

Police Officer Under \$2,000 Bail In Man's Death

By A. A. MORISEY
WILSON, N. C.—Six children and their mother are without a father and husband in Simms, a small town near here, as a result of an apparent case of mistaken identity which resulted in the death last week of Lee Locus, caused by a gun in the hands of an officer of the law who was without warrant to arrest or any surety that he had his man.

According to the story related to the Journal and Guide by Mrs. Lillie Locus, widow of the victim, about 4 o'clock Friday morning her husband was called to the door by a voice identifying its owner as "the law." When asked what he wanted the caller answered, "Come out, I want to talk to you."

The officer at the door was Chief of Police T. T. Autry of the neighboring Nash County town of Bailey, who had come into Wilson County at the request of Graham Boykin, principal of the Bullock's School which had been broken into earlier in the night.

WIDOW TELLS VERSION

The rest of the story as told by Mrs. Locus is that as her husband opened the door the officer fired on Locus who ran toward the bed crying, "Lillie, he's killed me." The victim then tried to hide under the mattress of the bed in which he had been sleeping and in which his wife was still lying. Mrs. Locus said the officer came into the room and fired two more shots at the dying man.

Earlier in the night someone had entered the teacherage of Bullock's school near Locus' home and was

shot at six times by Graham Boykin, white, principal of the school. It is not known yet whether the person shot at was hit or if it was Lee Locus.

Chief of Police Autry, after being called to the scene, drove to Wilson for advice from officials there who advised him to go back and investigate the case.

It was then that Officer Autry and Graham Boykin the principal went to the home of Locus to question him. In an interview with the Journal and Guide representative, Autry said, "I didn't go there to arrest him. I just wanted to question him. It was self-defense. That's all I have to say. I shot when he grabbed his .22 rifle from the head of the bed."

It is reported that the principal said someone was seen leaving the teacherage in a new Plymouth with white sidewall tires. This is thought to have led to the questioning of Locus who owned a Plymouth but one which did not answer to the description of the principal.

It was reported that it had been determined that the dead man was not the one who had entered the teacherage.

Following the shooting Officer Autry went back to Wilson to get Coroner V. C. Martin who investigated the case and called an inquest for Saturday afternoon at 2 p. m.

A number of white people from the section had asked A. O. Dickens, white attorney to appear as private prosecutor at the inquest.

Dickens said that he decided to appear at the inquest but would not comment on whether or not he had been definitely retained as private prosecutor or whether he appeared at the hearing merely as a spectator for the time being.

Detective R. L. Gay, fingerprint expert of the local police department, said that an investigation into the fingerprint situation at Bullock's school revealed that so many persons had been over the ground that no fingerprints could be obtained.

The feeling among citizens of the Simms community is definitely sympathetic toward the dead man. White citizens of the community have taken steps to employ counsel for prosecution of Autry.

The scene of the scheduled inquest was a small room in the railroad station at Simms which, as it was put by one at the hearing, "was not big enough to cuss a cat in."

At 2 o'clock interested persons

started filing into the small room where the inquest was to be held. The appointed jury and attorneys were called into an adjoining room while others stood by waiting. After lengthy deliberation they announced that the inquest had been postponed until April 6 in the court house in Wilson. Autry was put under \$2,000 bond for his appearance at the inquest.

Locus was a respected citizen of his community. He had just completed a new home in which he was living at the time of the tragedy. His children are Fredi Lee, Queen Esther, Annie Ruth, Lela Mae, L. V., and John B. Locus.

Around three thousand people attended the funeral Sunday afternoon. Cars from counties all around brought loads of people to the scene.

Ten dollars was presented by James Whitfield. This was raised by the First Baptist Church to be used toward the lawyer's fees in the case. Both races are uniting to see that the case is vigorously prosecuted.

A white man living near the school also has an automobile which answers the description given by the principal but so far as could be learned no investigation has been made to determine if he might be the man wanted for entering the teacherage.

Wilmington N. C. Morning Star
May 2, 1939

THE HENDERSON APPEAL

Oral arguments will be heard today in the case of JAMES HENDERSON, nineteen-year-old Negro convicted of the first degree murder of a white woman here, and sentenced to death in the cyanide cell.

His court-appointed attorneys will contend that his indictment was illegal because no Negroes were included in the jury panel, although there are qualified Negro voters in the county.

In view of the ruling of the Supreme Court in the Scottsboro case, it is fairly safe to assume that the North Carolina tribunal will reverse the decision of the lower court.

Nab Five White Men For Killing Negro

WHITEVILLE, N. C., Sept.—(ANP) John Gordon, white, of Cedar Grove, was ordered held without bond for the killing last Tuesday of Jason Stephens of Proctorville. Four other whites were placed under bonds ranging from \$200 to \$1,000 in connection with the same case after the inquest Friday.

Witnesses said the five white men drove up to the farm where Stephens lived and began arguing over the latter's removal of some tobacco from the premises. Finally Gordon is alleged to have pulled a gun from the car and shot Stephens.

White Youth Must Face Manslaughter Charge

GREENSBORO, N. C.—A warrant charging manslaughter growing out of the recent death of 19-year old Fred Mitchell of the Friendship Community was served Friday morning in Piedmont Memorial Hospital on George Hubbard, white, also 19.

Hubbard is alleged to have been the operator of a motorcycle on which Mitchell was riding on Sunday afternoon, November 26 and which was involved in a collision in which the latter received fatal injuries. Mitchell died in a local hospital on Thursday of last week of a severe head injury and fractured leg.

State Highway patrolmen who investigated the accident, said Mitchell was injured when the motorcycle operated by Hubbard, crashed headon into a car after striking the rear of another which it attempted to pass.

Hubbard was also badly injured in the crash, both legs being fractured, it was stated. The accident occurred on the Winston-Salem highway near the Greensboro-High Point airport.

ATTACKER GETS NEW TRIAL

Appeals Of Mecklenburg Negroes Denied By Court

Haywood Mitchell and Richard Mays Lose Fight Before High Tribunal; Simon Gibson Of Wilmington, Doomed For Criminal Assault, Is Granted Second Chance.

RALEIGH, Nov. 29.—(AP)—The State Supreme Court today denied appeals of two negroes sentenced to die for first degree murder and of a third convicted of first degree burglary, but granted a new trial to a fourth convicted of criminal assault.

The new trial went to Simon Gibson in a case which came to the high tribunal "principally" on admission of testimony by Mayor Thomas E. Cooper of Wilmington. Appeals were lost by Haywood (Hazel) Mitchell and Richard Mays, both of Mecklenburg county but convicted in different cases, and Jim Moore of Pender county.

Their death dates automatically were set for the third Friday after the rendering of the opinions—December 15.

The court decided 10 cases. In the Gibson case, it was held that the "repetition" of a "prior confession" should have been excluded from the testimony "upon the presumption that it had been induced by the same influence which brought about the original confession."

In New Hanover superior court, Judge Henry A. Stevens ruled an alleged confession by Gibson involuntary. In New Hanover superior court, the defendant contended it was induced by officers when they said "we have plenty on you," and suggested "that it was best to tell about everything . . . let the sentences run concurrently, and that it would be lighter for you."

MAYOR TESTIFIED. Subsequently during the trial, however, Mayor Cooper was allowed to testify, over objection, that the defendant had "repeated his confession" just before court opened and while Gibson was seated in the prisoner's box.

Chief Justice W. P. Stacy, writing the opinion, observed that "it is established by numerous decisions that where a confession has been obtained under such circumstances or by such methods as to render it involuntary, a presumption arises which imputes the same prior influence to any subsequent confession of the same or similar facts, and this presumption must be over-

come before the subsequent confession can be received in evidence . . . The burden is on the prosecution to overcome this presumption."

OTHER CASES. In the three other capital cases, the court held that time allowed for filing cases on appeal had expired, and said that it found no error in any of them.

Moore also was denied a writ of certiorari requested to get the case before the court. He was convicted in July of the slaying of John Robert Fennell, alias John Robert Findle, alias John Robert Mims.

Mitchell was sentenced in July for the slaying of George Green, and Mays in July for first degree burglary of the home of F. A. Fowler.

The list of opinions follows: Patrick vs Branch Banking and Trust company, Lenoir, modified and affirmed.

Eldridge, et al vs Mangum, et al Wake, reversed.

State vs Mayes, Mecklenburg, appeal dismissed.

State vs Mitchell, Mecklenburg, appeal dismissed.

Hunter vs Bruton, Mecklenburg, new trial.

State vs Spaulding, Columbus, no error.

State vs Gibson, New Hanover, new trial.

State vs Moore, Pender, appeal dismissed.

Town of Wadesboro vs Cox, et al, Anson, appeal dismissed.

Ebert vs Disher, Forsyth, petition allowed in part.

KILLINGS - 1939

OHIO

Fugitive Slayer Nabbed After Twenty-Two Days

FREE COP WHO SLEW MAN IN TAVERN BRAWL

CLEVELAND, Ohio, July 28—Sleeping in dumps, hiding by day, panhandling at night, William Lawrenson, 19, white, eluded police for 22 days after the sashweight murder of McHenry Bailey, 29, attendant at the Club Garage.

Early Friday morning, detectives who had been watching the home of the murderer 24 hours a day since a week ago Saturday, found the tall, skinny youth sleeping on a pile of rags in the basement of his home. He had sneaked in through a side door unseen by the detectives who had taken refuge from the rain in their car parked on the other side of the house.

Friday morning, while waiting with Detective John Roddy for a relief detail, Detective Joseph Ulman saw a light flicker in the basement. When Detectives Bockhausen and Haas arrived as relief, he sent Detectives Haas and Roddy to watch the front and back doors, and with Detective Bockhausen and the boy's father entered the basement. The youth was asleep when surprised by the detectives and his father and gave up without resistance.

The house had been watched since the youth left home without notifying his parents. The mother had promised police to notify them as soon as he returned. Search for the Lawrenson youth began when police learned a stolen car used in the murder had been parked in the Lawrenson yard.

In the car was a cash register taken from the Club Garage by the alleged murderer of Bailey. The youth is being held by police under a first degree murder charge. He is said to be of Italian descent.

Citizens Protest Decision Of Court; Prepare To Fight For Ouster

CLEVELAND, Ohio, Sept. 29—Freed of manslaughter charges in the fatal shooting of Joseph Foreman, 23, Patrolman Frank Green, white, Saturday was still under suspicion pending a departmental trial for intoxication.

A jury in criminal court acquitted Officer Green after deliberating four hours.

Foreman was shot March 11 during a barroom brawl. Chief George Matowitz said the departmental trial will be held before Safety Director Eliot Ness some time next week.

Edward C. Sinclair, jury foreman and superintendent of the Locke Machine company, said Patrolman Green was freed on legal technicalities. "Not a single member of the jury had any sympathy for him," Mr. Sinclair said. "He's free because the wording of the law freed him on the basis of facts presented."

Rev. Grant Reynolds, pastor of Mt. Zion Congregational Temple, and president of the local branch of the National Association for the Advancement of Colored People, in his pulpit Sunday morning declared the freeing of Patrolman Green by Judge Frederick P. Walther on the manslaughter charge was a travesty on justice.

He advised the sending of protests to Judge Walther by the citizens of the city and if he ignores their protests remember him at the polls when he comes up for election again.

KILLINGS -1939

Columbia S C State

June 17, 1939

PENNSYLVANIA

Philadelphia Negro Fugitive Arrested Allendale

Allendale, June 16.—A 17-year-old Philadelphia Negro who tried to escape the law was arrested in Allendale by Chief H. A. Stack less than two days after he killed a Negro girl, according to the Negro's statement.

Chief Stack first discovered the Negro sitting in the white waiting room in the Allendale depot he had a bundle of clothes. The boy replied incoherently to Officer Stack's questions. His voice trembled. His expression revealed some sort of guilt.

To the county jail the Negro was carried and soon afterward he admitted to the policeman that he had killed a girl in Philadelphia Friday night.

"We were at a party and several of us got in a fight," the Negro said. "Somebody shot, then I shot. After I found I had killed a girl, I was scared and went home. I told mama what I had done and asked for some money to leave home on. She gave me about \$16 and my step-father took me to Chester, Pa., and put me on a train.

"I was going to Tillman where my grandfather lives but I didn't have quite enough money to get there so I got off here about midnight. I stayed in the waiting room all night."

The Negro's fingerprints were taken by Patrolman Eubanks and were sent to officers in Philadelphia. The officers were notified of the boy's arrest and confession.

Some time ago the boy's fingerprints had been made in Philadelphia after he had been arrested on a misdemeanor charge. The prints made here corresponded with those made in Philadelphia.

Philadelphia officers notified Sheriff Neil Sanders that they would arrive in Allendale today to take the Negro back to Philadelphia.

The boy gave his name as Willie Perry of 1605 North Tenth street, Philadelphia. He said he was born in Augusta, Ga., but had lived in Philadelphia for several years.

Spartanburg S. C. Herald
October 11, 1939

Official Probe of Five Violent Deaths Here to Be Ended This Morning

Fifth Fatality Recorded as Negro Succumbs to Train Accident Injuries

Official inquiry into the violent deaths of five Spartanburg county negroes during a three-day period which ended Monday will be completed this morning with an inquest into the fatal shooting of a negro man near Greer Saturday night.

Inquests already have been held in two deaths—both caused by gunfire—and officers have decided that inquests into the two remaining fatalities will not be necessary.

The inquest to be held today will be conducted at 10 o'clock this morning at Greer, and will be into the death of W. C. Foster, negro man who was shot to death while standing in front of the House of Prayer negro church in the Sunny Side section near Greer late Saturday night.

Five other negroes—four men and a woman—are being held at the county jail here in connection with the slaying.

No Inquests

Officials announced yesterday that no inquests will be held in the deaths of J. C. Davenport, of 293 Hines street, fatally injured when he was struck by a train late Monday night; and Harley Pendergrass, of 274 Lewis alley, who died Monday night of a knife wound in the throat which officers reported was self-inflicted earlier in the same day.

Davenport died at the county hospital several hours after he was admitted from injuries which investigating officers said were received when he was struck by a Piedmont and Northern railway freight train between the Thompson and Hines street grade crossings.

The negro was badly mangled in the accident. His left leg was severed near the hip and his left arm was torn from the socket. He lived for several hours after the accident, however.

Coroner John S. Turner investigated and reported that an inquest would not be necessary.

The coroner also announced yesterday that no inquest would be

held in connection with the death of Pendergrass, negro butler of the Georgia Cleveland home here for a number of years.

Two Injured

Investigating officers reported that Pendergrass slashed his throat after wounding both his wife, Florence, and his daughter, Salem, with the knife. The condition of the latter two was reported "fairly good" yesterday at the county colored hospital.

Inquests into two violent deaths Sunday were conducted at the courthouse here Monday morning, on a first degree murder charge in

In one, a jury ordered a negro man, Jerome Coleman, held for further investigation in connection with the fatal shooting of a negro woman, Carlene Bobo, who was killed Sunday afternoon on a public road near the Cooperative school.

In the other inquest, the jury ordered Bud Young, negro, held for further investigation in connection with the fatal shooting of Frank Boyd, 20-year-old negro youth who was shot to death Sunday afternoon at a house on Sims alley.

S. C. Supreme Court Reverses Conviction Of Negro For Murder

COLUMBIA, S. C., Dec. 3.—Press Bibbs, one of the seven defendants in South Carolina's "Scottsboro Case" won a new trial before the State Supreme Court here Thursday.

Last January Bibbs and six companions, all Negroes, were indicted by a grand jury and charged with murder of Lewis Leslie, white farmer and storekeeper, of McCormick South Carolina, on October 12, 1938. The National Association for the Advancement of Colored People accepted the offer of Joseph Murray, a well-known white attorney, of McCormick, to defend the men.

Despite the intimidation of defense witnesses, the case was appealed to the State Supreme Court, after an all-white jury sustained a first degree murder charge against Bibbs last February. Conviction of first degree murder in South Carolina carries with it an automatic death penalty in the electric chair.

John Baker and Arthur Patterson are two other defendants whose cases are on their way to the State Supreme Court.

ries with it an automatic death penalty in the electric chair.

John Baker and Arthur Patterson are two other defendants whose cases are on their way to the State Supreme Court. Four other men charged with complicity in the crime have not had their cases tried yet.

NO LYNCHINGS IN BEAUFORT COUNTY

So Negro Fails in Fight Against Extradition

CLEVELAND, Nov. 6. — (AP) — A writ of habeas corpus for the release of Ben Heyward, 44, negro wanted on a first degree murder charge in Beaufort County, South Carolina, in 1925, was denied here yesterday.

Heyward's counsel, a negro Ohio state representative, Chester K. Gillespie, told the court Heyward faced lynching if he were returned to South Carolina.

Sheriff J. E. McTeer, of Beaufort County, informed the court that there has been no lynchings in his county since it was organized in 1652.

"I've been sheriff for 14 years," said McTeer, "and my father was sheriff before me and his father before him. There have been far worse murders than the one with which Heyward is charged but there has never been a lynching."

Judge Frank S. Day dismissed the writ but Heyward, whose extradition papers have been signed by Gov. John W. Bricker, will not be released until a court of appeals rules on the writ. Gillespie filed notice of appeal following Judge Day's ruling. Heyward was arrested in Akron, O., where he had been working at a barbecue stand.

Scottsboro Case Defendant Gets A New Trial

COLUMBIA, S. C., Dec. 3.—Press Bibbs, one of the seven defendants in South Carolina's "Scottsboro Case" won a new trial before the State supreme court here yesterday.

Last January Bibbs and six companions, all Negroes, were indicted by a grand jury and charged with murder of Lewis Leslie, white farmer and storekeeper, of McCormick South Carolina, on Oct. 12, 1938.

Despite the intimidation of defense witnesses, the case was appealed to the State Supreme Court, after an all-white jury sustained a first degree murder charge against Bibbs last February. Conviction of first degree murder in South Carolina carries with it an automatic death penalty in the electric chair.

Despite the intimidation of defense witnesses, the case was appealed to the State Supreme Court after an all-white jury sustained a first degree murder charge against Bibbs last February. Conviction of first degree murder in South Carolina carries with it an automatic death penalty in the electric chair.

John Baker and Arthur Patterson are two other defendants whose cases are on their way to the State Supreme Court.

AND THIS HAPPENED IN SOUTH CAROLINA

COLUMBIA, S. C., Dec. 7.—Press Bibbs, one of the seven defendants in South Carolina's "Scottsboro Case" won a new trial before the State supreme court here last week.

Last January Bibbs and six companions, all Negroes, were indicted by a grand jury and charged with murder of Lewis Leslie, white farmer and storekeeper, of McCormick, South Carolina, on October 12, 1938. The National Association for the Advancement of Colored People accepted the offer of Joseph Murray, a well-known white attorney, of McCormick, to defend the men.

Despite the intimidation of defense witnesses, the case was appealed to the State Supreme Court, after an all-white jury sustained a first degree murder charge against Bibbs last February. Conviction of first degree murder in South Carolina carries with it an automatic death penalty in the electric chair.

John Baker and Arthur Patterson are two other defendants whose cases are on their way to the State Supreme Court. Four other men charged with complicity in the crime have not had their cases tried yet.

KILLINGS- 1939

SOUTH CAROLINA

Charleston S. C. News & Courier
January 19, 1939

Who Is the Negro's Friend?

James McMillan was a negro tenant in Spartanburg county. He was riding with his landlord, W. R. Moseley, in a wagon loaded with cotton to a gin. Three white men followed the wagon in an automobile and passed it. One of these was Bloomer Williams, between whom and Moseley "bad blood existed" on account of the killing of a dog. The automobile partly blocked the road, but Moseley succeeded in driving by it. McMillan, the negro, was sitting on top of the cotton. "Ill feeling likewise existed between McMillan and Jerry Babb. It appears that the day before Babb had beaten the negro." When the mules with the wagon were on the run up a hill Williams passed a pistol to Jerry Babb, and he fired three times, killing McMillan, the negro. McMillan had said nothing in the quarrel. Williams had first drawn a pistol, and Moseley had reached in the cotton and drawn his pistol. The three men, Williams, Jerry and Andy Babb later, when questioned by the sheriff of Spartanburg at their respective homes, each denied being present when the negro was killed and participation in the affair. The two Babb's were tenants of Williams.

Williams and the Babb's were tried and convicted by a jury of twelve white men found guilty of manslaughter and sentenced to twenty years imprisonment by Judge Thomas S. Sease. The killing was October 4, 1937.

Williams appealed from the verdict and sentence. He was represented by prominent lawyers. November 30, 1938, the supreme court of South Carolina affirmed the verdict and sentence. The foregoing facts are taken from the supreme court's resume of the testimony on the trial. Last Monday Governor Olin D. Johnston, in private life a Spartanburg lawyer, "paroled" Bloomer Williams.

Spartanburg is a county in South Carolina where man-killing is a crime. In the four years following the inauguration of General Hampton two white men were convicted and hanged in Spartanburg for the murder of negroes. Later a white man, a dispensary constable, was convicted of murdering a negro and sentenced to death. A governor pardoned him. Once within recollection a white man of considerable means was convicted of murder and hanged in Spartanburg, and two white men were executed for murder when John G. Richards was governor. He withstood tremendous pressure to commute their sentences. About twenty-six years ago a mob dynamited gates of the county jail in Spartanburg in an attempt to take a negro accused of having assaulted a white woman, and Mr. White, the sheriff, and

his deputies defied the mob and saved the negro, who was later tried by a white jury and acquitted. Once, about sixty years ago a man was lynched in Spartanburg. The man was white and an owner of landed property. If there has been a lynching since that day in the great county of 87,000 white people and 30,000 negroes we do not recall it.

The record of Spartanburg for enforcement of law is far from perfect, but, in The News and Courier's estimation, no other county of the state's forty-six has a record so good.

Former Governor Johnston, not a native of Spartanburg, was a Spartanburg lawyer before he was governor and has returned to Spartanburg to practice law. Has he made stronger the tradition and habit of Spartanburg for enforcement of law against violators, white and black?

Former Governor Johnston is President Roosevelt's warm friend, politically the president's favorite in South Carolina. Last August Mr. Johnston, then governor, traveled on the president's train from Georgia to Greenville. Mr. Johnston was a candidate for senator, and President Roosevelt in a brief speech spoke in Greenville for the defeat of Ellison D. Smith.

The president is the friend of negroes in the North. He is the friend of Governor Johnston, who, two days before retiring from office, paroled this white man convicted by a white jury in Spartanburg of being present and handing the pistol with which his white companion killed an unoffending negro as he fled in a wagon.

Samuel R. Watt is the prosecuting officer in Spartanburg. In the enforcement of law the color of a felon or his victim means nothing to "Sam" Watt.

Compare the friendships respectively of Franklin D. Roosevelt and Samuel R. Watt for the negro race in South Carolina. Compare the president's championship of the Southern negroes with that of white jurors of Spartanburg.

Take the record, Gentlemen.

See South Carolina As Having "Scottsboro Case" As 7 Are Railroaded In Murder Case

MCCORMICK, S. C. — Word was received here Friday that seven colored men being railroaded swiftly to trial on a charge of murdering Lewis Leslie, a white storekeeper, would be provided with a defense by the National Association for the Advancement of Colored People.

Joseph Murray, well known local white attorney, offered his services to the N. A. A. C. P. for a nominal fee and a letter from Thurgood Marshall in the New York office confirmed the agreement. Local opinion is that the state's case against five of the men is very weak. Attorney Murray expects to provide the fullest defense for the accused men, including the raising of the question of Negroes serving on juries.

MYSTERY SHROUDS DEATH OF FARMER

Wife and Colored Man Held In South Carolina Jail

BERKELEY, S. C., Feb. 2 — (Special) — Pending completion of investigating the death near here last month under mysterious circumstances of Floyd Ullmer, white farmer, the wife of the deceased, Mrs. Dora Ullmer, and Bossie Dennis, race man, are being held in jail here without bond. The body of the farmer, who was buried a short time after his death, was recently exhumed, the vital organs removed and sent to a laboratory for analysis, a report on which is expected to be received within the next week or ten days.

TO APPEAL CASE OF S. C. MAN, CONVICTED OF KILLING GROCER

MCCORMICK, S. C., Feb. 20.—After less than an hour's deliberation, an all-white jury returned a verdict of guilty in the case of Press Bibbs, charged with first degree murder in the killing of Lewis Leslie, local white storekeeper last month.

The verdict carries with it a mandatory death sentence in the electric chair. Execution of Bibbs, set for March 31, has been deferred until the trials of John Baker and Arthur Patterson, both of whom were also indicted by the grand jury together

with Bibbs, are held. Joseph Murray, local white attorney, who is representing the N. A. A. C. P., in behalf of the seven men being sent to the state supreme court. Four other men, of murdering Lewis Leslie, and the men, will appeal the case to the white storekeeper, would be, provided with a defense by the National Association for the Advancement of Colored People.

Joseph Murray, well known local white attorney, offered his services to the N. A. A. C. P., for a nominal fee and a letter from Thurgood Marshall in the New York office confirmed the agreement today.

Local opinion is that the state's case against five of the men is very weak. Attorney Murray expects to provide the fullest defense for the accused men, including the raising of the question of the Race serving on juries.

A bitter legal battle is in prospect because the family of the dead man has engaged special counsel to assist the prosecutor in rushing the men to a conviction.

The N. A. A. C. P. New York office has characterized this case as the "South Carolina Scottsboro case," and issued an appeal for contributions to finance the court fight.

Defense Of 7 For Murder

MCCORMICK, S. C., Feb. 20.—Word was received here Friday that the seven men being railroaded to trial on a charge of murdering Lewis Leslie, and the men, will appeal the case to the white storekeeper, would be, provided with a defense by the National Association for the Advancement of Colored People.

Joseph Murray, well known local white attorney, offered his services to the N. A. A. C. P., for a nominal fee and a letter from Thurgood Marshall in the New York office confirmed the agreement today.

Local opinion is that the state's case against five of the men is very weak. Attorney Murray expects to provide the fullest defense for the accused men, including the raising of the question of the Race serving on juries.

A bitter legal battle is in prospect because the family of the dead man has engaged special counsel to assist the prosecutor in rushing the men to a conviction.

The N. A. A. C. P. New York office has characterized this case as the "South Carolina Scottsboro case," and issued an appeal for contributions to finance the court fight.

Killed For Cursing White Man In Presence Of Woman

South Carolina Jury Exonerates Assailant of Blame—
'Self Defense' Plea Sticks, Though No 'Death Weapon' Is Produced

KINGSTREE, S. C., April 6. (Special)—C. M. Heidt, white man, was exonerated of all blame by a coroner's jury here Wednesday for shooting and killing John White Nesmith, after Nesmith allegedly cursed in the presence or hearing of women. Heidt, it was said, remonstrated with Nesmith before fatally shooting him.

The jury verdict was that Heidt had acted in self defense. No evidence was introduced tending to show Nesmith attacked the white man or attempted or threatened to do so, nor was there any evidence that Nesmith was armed with firearms, knife or other weapon.

Spartanburg & C. Herald
June 13, 1939

FIND STOREKEEPER BEATEN TO DEATH

Charleston, June 12 (AP).—John Hilton, 55, a storekeeper at Lincolnton, about 20 miles from here, was found beaten to death today in the kitchen of his home.

Coroner John I. Deveau said Hilton was last reported seen alive about 7 o'clock last night.

The driver of a bread wagon, failing to get a response at Hilton's home, discovered the body.

Director of County Police William J. Storen announced tonight that a negro man was being held on suspicion in connection with the slaying of the negro storekeeper. Storen said he expected to be ready to make an important statement tomorrow. He did not reveal the name of the prisoner.

The reason for the slaying has not been determined. It was thought doubtful that robbery was the motive. Neither Hilton's pockets nor anything in the house showed signs of having been tampered with. Storen said police still were searching for the instrument used for the slaying.

Coroner John P. De Veaux said Hilton had been killed with some sort of blunt instrument.

Witnesses Forced By Southern Policemen To Frame 2 Negroes In Murder Of White Carolinian

MCCORMICK, S. C.—Testimony to testify falsely. However, no action was taken against the officers who threatened to beat them and who offered them money who, of course, denied making any threats or inducements.

From the very beginning of the case there was an attempt to railroad Negroes to death for the murder of Leslie. The latter was killed October 12, 1938, and seven colored men were held in January, 1939, all charged with his murder. Examination of the evidence showed that he was present and helped kill Leslie Patterson was there was very little against any shown to have been in a house at except one man, but the family of a song feast, at least a mile from the the murdered man employed private crime, yet witnesses placed him at counsel to assist the county prosecutor and the stage was set for a speedy conviction of all seven men.

Not the least extraordinary feature of this fantastic case of railroading The N. A. A. C. P. stepped into men to conviction is the fact that the case, employing Joseph Murray Patterson was found guilty of murder as defense counsel. This action served der with a recommendation of mercy, notice that a vigorous defense would whereas Baker was found guilty of be made and the state, therefore, with-manslaughter. Patterson got life and drew the joint indictment against the Baker got 25 years.

Coercion Proven In Court
The most amazing part of the whole performance, however, is the fact that tried first, convicted and sentenced to Negro witnesses who testified and death. He made a statement that he placed Baker and Patterson at the was the only one responsible for the scene of the crime, admitted later in crime. Attorney Murray sought to the courtroom that they had lied on have an early trial for Patterson and the stand. For changing their testi-Baker so Bibbs could testify for them, mony they were sent to the chain-but this was denied and Bibbs was sentenced to die on March 31. With

Two men who had been taken from his main witness about to be executed, the fields in which they were work-Murray appealed the Bibbs conviction ing and forced to go into court and and thus saved his life at least long falsely testify that they had seen on enough for him to appear in the trial of the defendants at a certain place of Baker and Patterson. on the night of the homicide when Attorney Murray has filed notice they changed their testimony so as of appeal in the Patterson and Bak-to say that they had lied were indict-er cases. The N. A. A. C. P. office in New York has announced a fin-

Witnesses testified that the officers, ish fight at the cases, saying they deputy sheriff and state constables were the most disgraceful deliberate had threatened to beat them if they violations of civil rights in recent did not testify against the defendant, years comparable only to the Brown, A large majority of the white peo-Ellington and Shields cases in Mis-ple here have and are condemning missippi which were reversed by the the officers for their action in treat-United States Supreme Court in a ing these young men in this manner stinging rebuke to Mississippi courts, and there is considerable feeling about it. One or more of these men testify-ing and later being convicted of per-

Augusta, Ga. Herald
November 6, 1939

NO LYNCHINGS IN BEAUFORT COUNTY

So Negro Fails in Fight Against Extradition

CLEVELAND, Nov. 6. — (AP) — A writ of habeas corpus for the release of Ben Heyward, 44, negro wanted on a first degree murder charge in the alleged slaying of a rural policeman in Beaufort County, South Carolina, in 1925, was denied here yesterday.

Heyward's counsel, a negro Ohio state representative, Chester K. Gillespie, told the court Heyward faced lynching if he were returned to South Carolina.

Sheriff J. E. McTeer, of Beaufort County, informed the court that there has been no lynchings in his county since it was organized in 1652.

"I've been sheriff for 14 years," said McTeer, "and my father was sheriff before me and his father before him. There have been far worse murders than the one with which Heyward is charged but there has never been a lynching."

Judge Frank S. Day dismissed the writ but Heyward, whose extradition papers have been signed by Gov. John W. Bricker, will not be released until a court of appeals rules on the writ. Gillespie filed notice of appeal following Judge Day's ruling. Heyward was arrested in Akron, O., where he had been working at a barbecue stand.

Class Sees Two Die

Double Crime Halts
College Examinations

Eric Williamson
2-1-39
Williamson
Killer a New Yorker
Special to the AFRO

NASHVILLE, Tenn.—A Meharry medical college junior, desperate because he had "muffed" his last chance to pass a medical course, last Friday shot his professor, before a class of horrified students, and then turned the gun on himself and ended his own life, ten feet from the body of his victim.

The professor, Dr. W. E. A. Forde, 60, one of the oldest and best known doctors at Meharry, was the victim of the shooting. The dismissed student was Eric Williamson, 34, of New York, a junior. Williamson had failed at Howard before entering Meharry.

Caught with "Pony"

According to officials present at the tragedy, shortly after an examination began at 8 o'clock, Dr. Forde caught young Williamson with a "pony" or notebook. He took the notes from the student and sent him to Dr. E. L. Turner white, Meharry president.

Dr. Turner told the student that if a person was caught cheating, he was automatically dismissed from the school. He told Williamson that he could not continue with the exam, that he was dismissed.

Dr. Forde then returned to the classroom where the examination was in progress, and Williamson left, apparently going to his quarters.

Kills Doctor and Self

At 8:45 o'clock, twenty minutes after Williamson was dismissed, he returned to the classroom and brandished a pistol. "Don't move," he commanded Dr. Forde. Before students knew what was happen-

ing the examination, two other doctors who were assisting Dr. Forde witnessed the shooting. closing \$50 to a friend in New York advising what disposal he wanted made of his body.

25 Years at School

Dr. Forde was an eye, ear, nose, and throat specialist and was well known in medical circles. He was educated at Alabama State College, Meharry College, and had done post graduate work in New York.

He had been connected with Meharry for about twenty-five years. He lived at 1402 Hawkins Street, and is survived by his wife, Mrs. Ruth Forde, and his son, Dr. Wells Forde, a recent graduate of Meharry Medical College.

Hale Not Harmed

Distant newspapers besieged Tennessee State College with telephone calls because of erroneous reports that President William J. Hale had been shot by a student.

Williamson was born in Kingston, Jamaica. He is survived by a wife, Mrs. D. J. Williamson, who, when in New York, resided at 762 St. Nicholas Avenue.

Suicide's Wife Talks

Mrs. Williamson, widow of the suicide-slayer, arrived by plane from Hollywood, Sunday. She is a neat, trim, light woman with a slight trace of West Indian accent.

"If Eric was a poor student," she said, "why was he permitted to stay here so long. I only hope that this awful affair will be a lesson to both professors and students here. Perhaps it will serve to bring them closer together."

"Eric had but one burning desire, namely, to be a good doctor. I don't know why he did it."

Dr. Forde was born in Georgetown, British Guiana, in 1884.

Class Shocked

The class, shocked by the tragedy, was excused from taking further examinations, but was held in the lecture hall until the coroner had investigated.

Two days before this, Williamson's roommate and classmate had also been found cheating in the class of Dr. W. A. Reed, professor of materia medica, and was dismissed.

The boy locked himself in his room and declined to talk or eat. Eventually, he left for home. For a time, students feared he might do violence to himself or others.

Williamson wrote a letter en-

He was behind in his class work, officials said, and had taken several re-examinations in an effort to catch up.

Nothing on Exam Paper

On Eric's examination paper was written only the heading required of all students, his name, the date, the subject of the examination, and the name of the professor he killed, Dr. Forde.

Three other students died at Meharry this year, two of them from high blood pressure incident to overwork.

Williamson Cremated

Funeral services for Eric Williamson were held Tuesday, at 9 a.m., at Gardner Funeral Home and his body shipped to Memphis for cremation.

Approximately thirty persons were present including his wife, Mrs. Dathia Williamson.

Dr. Quinland There

Others were Dr. W. S. Quinland and Dr. J. W. Jones of the Meharry faculty; the Rev. Russell C. Barbour of First Baptist Church; George D. Hinkson and Samuel A. Walcott. Meharry students quintet sang.

The only emotion the widow displayed at the casket draped with white carnations came when she gazed several minutes at the casket and sought to touch the body.

Wife Flies to Dead Student

NASHVILLE, Tenn.—Mrs. Eric Williamson, wife of the suicide Meharry student who killed his professor, arrived by privately chartered plane from Hollywood Sunday, where she is traveling companion and secretary to Ina Claire, the movie actress.

She will dispose of her husband's remains when she receives word from her father-in-law, John Williamson, Kingston, Jamaica, jeweler, and his uncle, who is professor of chemistry at Tuskegee.

THE KILLER



ERIC WILLIAMSON
He planned it all
DEAD PROFESSOR



DR. W. E. A. FORDE
He leaves wife and son.
Chattanooga, Tenn., Daily Times
February 10, 1939
**MAN SLAIN, 4 HURT
IN NEGRO QUARRELS**

Girl Held for Murder After Victim Is Stabbed Through Heart—Others Seized

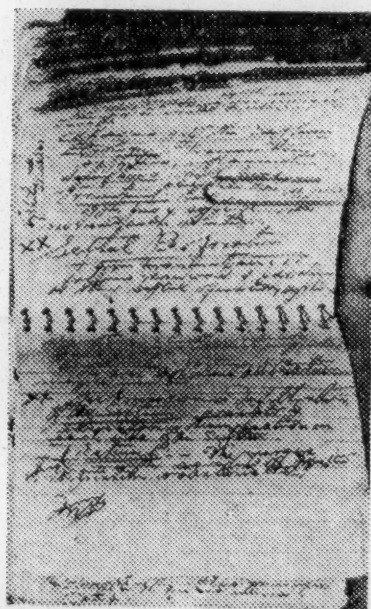
Violence and disorder among Chattanooga's Negro population yesterday and last night resulted in the slaying of one man and the shooting or stabbing of four other persons.

Lonnie Flemister, 1925 Fort street, was stabbed and killed, police said, by Lillie Mae McGhee, 18, also colored, at the Negro's home last night at 8:20 o'clock. Flemister died before reaching Erlanger hospital. Physicians said he had been stabbed through the heart. The body was taken to the Otis Cox Funeral home.

Patrolmen A. F. May and Fred Cope arrested the girl, charging her with murder. She was turned over to Homicide Detective Everett E. Smith for questioning.

John H. Hammond, 916 Acme street, was shot and seriously wounded in an affray at Ninth and Douglas streets early last night. Patrolmen Ed Rick-

The Fatal "Pony"



Here's the notebook Eric used to cheat in his examinations.

Williamson shot the doctor in the side, killing him instantly.

Williamson then walked from the classroom in the main building at Meharry. As he went down the hall, a few yards from where Dr. Forde lay dying, Williamson shot himself through the head and crumpled to the floor. He was dead when help was summoned.

In addition to the students tak-

etts, S. P. Swafford and T. B. Williams arrested John Ross, also colored, on a charge of felonious assault in connection with the shooting. Hammond was treated in Erlanger hospital for a wound in the abdomen.

Loretta Grimes, 1221 Fairview avenue, was shot, police reported, by Fred Martin, also colored, 1220 Fairview avenue, near her home yesterday afternoon at 12:20 o'clock. Patrolmen A. T. Atwood and P. F. Taylor arrested the woman after treatment in Erlanger hospital, charging her with disorderly conduct and carrying a pistol. She was shot in the leg. Martin, arrested also, was charged with felonious assault and carrying a pistol.

Two Negro women, Molly Fowler, 325½ West Ninth street, and Myrtle Rudisil, West Ninth street, engaged in a knife brawl at the Fowler woman's home last night, severely slashing each other. They were treated in Erlanger hospital.

Nashville Tennessean

March 16, 1939

Social Factors Blamed for Homicide Rate

In an analysis of Nashville's "high homicide rate" for 1938, Chief of Detectives Elkin Lewis yesterday declared that the problem "is primarily a problem for social service agencies and educational institutions."

Pointing out that 95 per cent of the city's homicides during the past year were committed by Negroes, Chief Lewis attributed the situation to "petty jealousies and differences among the lower classes of the Negro race" which, due to ignorance and poor housing and social conditions, sometimes result in "aggravated assault and murder."

"All the police regulations we could impose and enforce would not reduce the figure," Chief Lewis stated. "In my opinion, the solution lies properly with the social service and educational institutions of the city rather than the police department."

In annual reports from other police departments throughout the country, he said, it has been noted that the same problem confronts police officials in nearly every Southern city. "In every report we have seen," he added, "it has been recognized that police regulations will not better the situation. It is our business to apprehend murderers and if possible to prevent them from committing their crimes. We have done that part of our job."

Chief Lewis explained that the highest murder rate in the country has been handed to some Southern city every year from the first time such rates were computed. "It

has always gone to cities, like Nashville," he asserted, "where there is a large percentage of ignorant and ill-housed Negroes, where fights with knives, ice picks, clubs, or some other handy weapon, settle differences."

Referring to the analysis which showed that of fifty-eight reported murders last year fifty-four were traceable to Negroes, Lewis declared that "nearly every one of these killings was the result of some petty quarrel that, had it occurred between better educated persons, might have been adjusted without bloodshed."

He called attention to the greater number of "aggravated assault" cases reported during 1938 by Memphis, 968, or about three times the number of such cases investigated by the Nashville police.

"Thus for example," he explained, "if two persons get into a fight to settle some difference, one or both of them may get hurt. If they die, it's a murder for the records, but if they live through it, then it's aggravated assault. It is easy to see what might happen to the murder rate of any city where a large number of aggravated assaults occur."

"These assaults simply produced more deaths in Nashville this past year than they did in Memphis. In previous years more of them have died from their wounds in Memphis than they have here."

In the chief's analysis of the fifty-eight reported murders it was revealed that of these murders fifty-two were Negroes killed by Negroes; two were white persons killed by Negroes; one Negro killed by a white person; and three white persons killed by white persons. In addition the analysis revealed three Negroes killed by police officers in resisting arrest, two Negroes killed by special police or nightwatchmen, and one Negro killed by a citizen to prevent the commission of a felony. This latter group was not included in the murder column.

White Man Two Negroes Die In Chair In Slaying of Gas Station Attendant for \$7,500 Insurance

4-23-39

NASHVILLE, Apr. 20. (ANP)—

Death in the electric chair at state's prison last Monday wrote finis to one of the most revolting crimes in Tennessee's history, and snuffed out the lives of James Otho Martin, 43, (white) and Joe McKay and James Smith, both colored.

The trio was executed for the 1938 insurance slaying of James Oliver George, an attendant employed by Martin, operator of a filling station in Memphis. Martin was charged with planning the murder in the hope of collecting proceeds of insurance policies totaling \$7,500 he had taken out on George's life.

"Joke" Caused Slaying

McKay was convicted as the go-between in the death plot, and Smith was found guilty of firing the shots that killed the 22-year-old gas station employee. Calm to the last and the first of the trio to sit in the electric chair, Martin maintained he was only "joking" with McKay when he suggested that McKay hire someone to kill young George for the insurance, adding, "But I didn't think he would do this, as I just made this remark for a joke."

McKay, however, from an adjoining death cell, declared Martin's statement false, shouting, "Cut out that part about joking, Martin. Be a man, and come clean. You know you kept after me to get someone to kill Mr. George before he could join the Navy!"

Just then, at 5 a. m., Warden Glenn Swafford appeared, his grim mission putting an end to the death-cell controversy. Twenty-three minutes later, the state of Tennessee had taken three lives for one. The two colored men prayed to the end. Martin's last words, "Chaplain, they tell me there is not any pain."

Color Line

In Justice

From The Raleigh News and Observer

It was news in Tennessee the other day when a jury of twelve men sitting in Chattanooga found a Negro guilty of first degree murder in the slaying of another Negro.

It was news because for the first time in more than twenty years this had happened. In the particular case, Martin Fleming, Judge of the City Court, but not sitting in this trial, deplored the high homicide rate among Negroes and suggested that, as a matter of policy, Negroes indicted for major crimes against other Negroes should be tried by a jury of their own race.

The verdict is interesting not only because it demonstrates that a white jury in Tennessee will return a verdict for the death sentence in a Negro slaying, but that this jury did so in a direct rejection of the chief plea of the defense offered by white counsel that Negroes should not be judged in accordance with the strict terms which would be applied to white men.

The defense contended that because of the Negro's limited privileges, his customs and manner of living, he should not be held to the same accountability as a white man. He argued, moreover, that few Negro killings, in the very nature of things, constitute first degree murder.

Here we have the not unusual situation wherein a real and constructive sympathy for the Negro as a race may become, as it frequently does become, an instrument for the defeat of that equality of justice which the Negro should have as a right.

Certainly, there is no virtue for the Negroes in that sort of sympathy which would deprive the law-abiding, self-respecting and peaceable among them of the protection which a rigid enforcement of the law against the Negro enemies of Negro peace should assure them. There is no good for the white man either in a policy which tolerates offenses against Negroes so long as they are committed by Negroes.

Medical Student's Widow Arrives In Movie Star's Plane

NASHVILLE, Tenn.—(SNS)—The body of Eric Williamson, 24-year-old junior Meharry Medical College student, who committed suicide after slaying Dr. W. E. A. Forde, last Friday morning, was shipped to Memphis Tuesday evening for cremation.

A funeral for the student, who was said to have been caught cheating at examinations and put out of class by Dr. Forde, leading to the tragedy, saw his widow gaze several minutes at the remains and attempt to touch the body in the casket.

Williamson's little-known widow, Dathia, reached Nashville Sunday afternoon at one o'clock flying a private airplane of Ina Clair, the white movie star, by whom she is employed as traveling companion and secretary.

THIRTY AT FUNERAL

Approximately thirty persons were at the nine o'clock Tuesday morning funeral at Gardner's Funeral Home on Jefferson Street. The Rev. Russell C. Barbour, pastor of the First Baptist Church, delivered a message of comfort. The Rev. George Duncan Hinkson and Samuel A. Walcott, Meharry students assisted. Several songs were rendered by a Meharry quintet. Among Meharry faculty members present were Drs. W. S. Quinland and J. W. Jones. There were no pallbearers.

The casket of the West Indian suicide was banked with flowers, including white carnations.

Funeral services for Dr. Forde, victim of the suicide student's bullets, were held Monday afternoon from the Gordon Memorial Methodist Episcopal church.

SLEW DR. FORDE

Williamson slew Dr. Forde after he became enraged because the professor Otolaryngology caught him with a "pony" shortly after examinations started last Friday morning. He went to his fraternity house, secured a pistol and returned to the medical college where he shot the West Indian professor and then killed himself. He had come to Meharry after failing the medical course at Howard University, it was revealed. Having already failed several courses at Meharry and been given a second examination, Williamson apparently knew that his dismissal would probably end his medical career.

3 Suspects Held In Girl Slaying

NASHVILLE, TENN., June 16.—(AP)—Two white men and a negro were held on vagrancy charges today while officers questioned them in connection with the attack killing of 12-year-old Marian Ellis, whose body was found in a culvert near her East Nashville home last night. Atty. Gen. Carleton Loser, directing the investigation of the death of the little girl, who was last seen alive yesterday morning when she started to walk down the road to the home of a neighbor, said the only thing certain was that the case was one of brutal murder.

Members of the child's family, playmates and others in the neighborhood were questioned at length during the day and preparations were made for a series of scientific tests that might furnish a lead to the killer.

A man booked as Alban Vestal, 30, of Knox County, was the third to be held on the technical charge of vagrancy after a 14-year-old boy who lives near the Ellis home said a man in a car similar to the one in which the girl was killed had been in the neighborhood several days recently and had spoken to the children. Previously booked was Robert Wright, Jr., 44, owner of another car similar to one the children said they had seen near the scene of the crime.

Hundreds Attend Rites Of Murdered Meharry Teacher While Mere Thirty Witness Funeral Of Suicide-Slayer

Throng Gathers On Outside Of Church At Forde Ceremony

By CHAS. SATCHELL MORRIS

NASHVILLE, Tenn.—(SNS)—Historic Gordon Memorial Methodist Episcopal church was jammed to overflowing Monday afternoon as hundreds gathered to pay tribute to Dr. W. E. A. Forde, Meharry college eye, ear and nose specialist, who was assassinated in his classroom last Friday morning shortly after eight o'clock by 20-year-old Eric Williamson, West Indian student from New York City.

For the past six years the distinguished professor had been superintendent of the Sunday School and held that office until the time

of his death.

HUNDREDS OUTSIDE

Other hundreds stood outside unable to gain entrance. Leaden, sombre skies accentuated the gloom that hung over the city occasioned by the violent death of the beloved physician.

As the cortege entered the church the organist played softly, "Nearer My God to Thee". President Thomas Elsa Jones of Fisk University offered prayer. The Rev. Dr. J. C. Johnson, pastor of Clark Memorial M. E. church read the scriptures.

The 50-voice Sunday School chorus under the direction of Jury Turner, supplied the musical background. Mrs. Blanche Fuggett, Miss Roberta Baker, secretary of the Sunday School, Mrs. Polly Peck and Dr. W. S. Quinland read telegrams and resolutions. The latter, representing Meharry, recounted the 22-year term of service of the slain professor.

President Edward L. Turner of Meharry termed the slaying a "disgraceful occurrence".

EMPHASIZES HUMILITY

The Rev. H. P. Gordon delivered a twenty-minute eulogy founded,

primarily on Job 14:14: "If a Man Die Shall He Live Again?" The dynamic minister cited outstanding elements in Dr. Forde's character.

He emphasized especially his Christian experience, unflinching faith, passion and courage in spiritual leadership and his deep humility.

"My heart is in the coffin with Dr. Forde," the speaker said, tears welling in his eyes, "and I must pause until it comes back to me." Tears gleamed in the eyes of hundreds of others as he spoke, and others softly sobbed as he closed with a tender prayer.

One of Dr. Forde's favorite spirituals, "Steal Away To Jesus", was sung by the Gordon Memorial male sextette.

The Rev. Dr. W. S. Ellington, dramatic pastor of the First Baptist Church, East Nashville, spoke and roused the multitude when he shouted that Christ was the first great eye specialist because He had enabled the blind to see, that Christ was the Great Physician and a healer of human infirmities and died at His post of duty and that Dr. Forde had followed consistently His example. Remarks by the Rev. Spencer Jackson followed, in which he deplored the tendency to judge human life as al-

together too cheap.

Prof. Forrest Strange of Tennessee State College, touchingly rendered "Goin' Home" while he was representing the local chapter of Omega Phi Psi Fraternity accompanied at the organ by Mrs. Strange.

While the remains were being viewed unnumbered hundreds who had gathered in front of the church entered for a last glimpse at a beloved community figure. Interment followed at Greenwood Cemetery the Masonic ritual being conducted at the grave.

Honorary pallbearers included many of Nashville's most distinguished citizens. The active pallbearers were Counsellor Z. Alexander Looby, Doctor J. H. Hale, S. H. Freeman, W. S. Quinland, W. A. Mason and Dr. J. A. Bone, all Meharry faculty members; City Physician Dr. J. W. Maxwell and Dr. Bertram Doyle, secretary of education of the Colored Methodist Episcopal Church. Mrs. Preston Taylor was funeral directress.

Funeral services for Eric Williamson, 24, of New York City who shot Dr. Forde in the abdomen last Friday morning at 9:00 o'clock, were held from K. Gardner's Funeral Home. His wife arrived in Nashville by plane Sunday from California.

PROFESSOR'S SLAYER LEAVES NOTE

Enraged West Indian Instructs Room-Mate To Bury Him With \$50

Atlanta World.
Atlanta, Ga.
1-29-39
Youth Had Already Failed
In Medical Course at Howard
Dismissal Meant Career's End

NASHVILLE, Tenn.—(SNS)—Eric Williamson, 24-year-old Meharry Medical College student who committed suicide after fatally shooting one of the professors early Friday morning, left a note for his roommate, George Porter, stating that Porter would find \$50 in Williamson's trunk, and requested him to see that his body be delivered to an undertaker for funeral arrangements.

Enraged because he had been barred from taking a semester examination when caught cheating in a class presided over by Dr. W. E. A. Forde, professor of Otolaryngology, Williamson is alleged to have secured a pistol from his fraternity house and returned to the college where he shot and killed Dr. Forde and then drilled a bullet into his own head.

Williamson had transferred to Meharry after failing the medical course at Howard University, Dr. Edward L. Turner, president of Meharry, revealed. He said the suicide victim and slayer had already failed several courses at Meharry and had been given a second examination and apparently knew that his dismissal would probably end his medical career.

MURDER AND SUICIDE

Investigator Tom Aldred for the district attorney-general's office, said the double shooting would be officially listed as "murder and suicide."

Williamson, a junior at the college, killed the prominent 55-year-

Williamson fired into his right ear, killing himself instantly.

Dr. Forde caught the student with a self-compiled "pony" at the beginning of the examination and took him to Dr. Turner, who reminded Williamson of the college regulation providing for dismissal of students cheating on examinations. Dr. Forde returned to the examination room and was standing just inside the door with the other two professors when Williamson opened the door and told the doctor to "Stand where you are."

A native of British Guiana, Dr. Forde had been teaching at Meharry since 1916. He was graduated from Alabama A. and M. College in 1909 and from Meharry in 1914. He was a member of the R. F. Boyd Medical Society and the Volunteer State Medical Association. He is survived by his wife, who lives here, and a son, Dr. Wells E. A. Forde, Jr., junior physician at Homer G. Phillips hospital in St. Louis.

Dr. Forde was one of the oldest members of the faculty and a distinguished surgeon. He was shot while standing at the rear of an auditorium with two other members of the faculty, Dr. Raphael Hernandez, professor of Anatomy, and Dr. L. L. B. Forrester.

Dr. Forde was one of the oldest members of the faculty and a distinguished surgeon. He was shot while standing at the rear of an auditorium with two other members of the faculty, Dr. Raphael Hernandez, professor of Anatomy, and Dr. L. L. B. Forrester.

ENTERED LEFT SIDE

A bullet from a .32 calibre pistol entered the doctor's left side and he died of internal hemorrhage. Stepping into an outer hall, Wil-

A Juror Speaks

East Tenn. News
WITHOUT TAKING SIDE IN THE controversy that has developed over a Knox criminal court jury freeing two white defendants charged with killing a very popular police officer, the situation brought forth a statement from Juror John A. Clancy, who sat on the case, that contains among other very interesting and significant sentences, one that is deserving of most serious consideration by people everywhere.

In defending his action in voting acquittal for the young white woman and her co-defendant, Mr. Clancy outlines in the concluding paragraph of his statement:

"A verdict, in my opinion, rendered in line with popular demand rather than by the evidence and the law is legal lynch law."

Unfortunately for many sections of our land, too many verdicts have been returned by juries who acted under the sound of the riotous voices of mobs, or with popular demand for acquittal or punishment ringing in their ears, all of which prove of undue influence upon them in arriving at decisions. Many defenseless, cringing, innocent Negroes have been hurried away from court rooms to the electric chair, verily lynched legally, as the popular demand was that the death penalty be imposed.

The untimely death of the popular young Knoxville policeman is to be regretted by all law abiding citizens. He was a very fine officer and an excellent citizen. The right or the wrong of circumstances surrounding his killing are not up for discussion here, but if the verdict of the jury that sat on the long drawn out trial in our criminal court is based on the fair and fearless attitude as expressed by Juror Clancy, when he declares that the popular clamor did not influence their decision, such offers sufficient indication that our jury system is taking a step forward in properly administering justice.

KILLINGS- 1939

TENNESSEE

Memphis Police Held In Slaying Of Negro

MEMPHIS, TENN., Jan. 22.—(AP)—Two Memphis policemen were jailed today on murder charges in the shooting of Phillip Hadley, 43, negro, Clifford Davis, police commissioner, said. The officers, Elmer F. Broens, 26, who became a probationer last Dec. 1, and R. G. McElroy, 26, who joined the force 14 months ago, were discharged from the police department immediately.

"I understand these boys were drinking," Marion S. Boyd, attorney general, said of the policemen.

They were making an investigation of a burglary when their duty ended at 8 a.m. They continued the investigation, a fight developed at Hadley's house and Hadley was shot at 8:45 a.m.

Professor Is Slain

By Negro Student

NASHVILLE, TENN., Jan. 27.—(AP)—An "emotionally unstable" young negro medical student, caught cheating in an examination, shot his negro professor at Meharry Medical College today, then shot himself, the president of the school, Dr. Edward I. Turner, reported.

Williamson shot Dr. W. E. A. Forde, elderly eye, ear, nose and throat instructor, in full view of a class taking an examination. He then walked out into a corridor and shot himself, Dr. Turner said. Both died almost instantly.

The 24-year-old New Yorker, shortly before the shooting was discovered using a "pony" from which he was copying answers to the questions in the examination. The officers made him subject to dismissal from the school. The negro medical college is the nation.

The college president said Williamson was brought to him by Dr. Forde and told that he would not be permitted to take the examination. A few minutes later the student returned to the class room and opened fire on the professor, who was standing with two other instructors.

Williamson became emotionally unstable, Dr. D. T. Rolfe, chairman of the public relations committee at the school, declared. He said the student feared dismissal and an end of his medical career.

Dr. Forde, an alumnus of Meharry Medical College and professor there for 20 years, was highly regarded in his medical field.

Williamson transferred to the Nashville school from Howard University, Washington, D. C., where he failed in earlier medical studies, officials here said. He lived at a negro fraternity houses here.

plans also for "emergency relief" for adults "who make contributions to this very unbecoming record," Tipton said.

The schedule outlined and worked out by the council and the commissioner will be placed in effect immediately and continue for eight weeks at Orchard Knob, Calvin Donaldson, Second District and East Fifth Street Junior High schools and Howland High school.

Chattanooga, Tenn., Daily Times February 4, 1939

COLORER PUPILS STUDY NEGRO HOMICIDES HERE

An outline for the study of homicides among Negroes in Chattanooga and Hamilton county has been introduced into the social science classes of the colored high and junior high schools, with the sanction of Commissioner Thomas H. McMillan and Supt. A. L. Rankin, it was announced yesterday by Cortez Tipton, chairman of a committee from the Social Workers' Council for Negroes.

The council has chosen for its study the crime situation, Tipton stated, and has mapped a course designed to "begin in the reduction of the Hamilton county crime rate, nearer its source." Associated with Tipton on the committee are Beulah Johnson Tipton and Leila Heidt.

Chattanooga, Tenn., Free Press February 5, 1939

Social Workers' Council Seeks to Cut Homicides

Curb on Negro Killings Sought in Drive Undertaken in Schools of County by Welfare

Group—Lectures Listed

A campaign to reduce homicide among Negroes has been launched in Hamilton County Negro schools by the Social Workers' Council for Negroes, Chairman B. Cortez Tipton has announced.

Chairman Tipton said a study of homicides, with respect to their origin, has been included in city and county school courses through co-operation of T. H. McMillan, city school commissioner, and A. L. Rankin, county superintendent of schools.

The study is being concentrated in junior high and high schools.

The study is divided into four periods of two weeks each. Respectively, they will be presented in the following form: Study of the cause of crime, including literature, lectures and forums.

Field work, including visits to observe conditions where crime purportedly has a "seat."

Essay writing, compilation of material on crime, including reviews of preceding two periods.

Further reviews with prizes awarded, etc.

"The homicide rate among Negroes has been very high for several years," Chairman Tipton said. "After many sessions were held for the discussion of this high rate, the Social Workers' Council decided to make a study of those things which seem to be outstanding in the production of homicides and also those sections where they most frequently occur."

Figures released by the homicide squad of the Chattanooga police department showed that of the 47 murders committed during the year 1938, 41 were by Negroes.

Memphis Cop

Murders' Second Negro

MEMPHIS, Tenn.—Determined to wipe out police brutality in Memphis, Commissioner Davis this week

ired from the police force, Roy A. Fought, 40, was shot in an office of the alleged malicious shooting of Arthur Wilson, 28, of 1231 Wake last Saturday night. Fought is on a \$2000.00 bond and has been charged. If Wilson dies (maybe dead now) he will be charged with murder. He has pleaded not guilty. Commissioner Davis nor Chief Lee were able to assign any motive for the shooting. It is almost a surety observers point out, that Negro policemen will help solve a problem that is stirring Memphis as never before.

MEMPHIS COPS DISMISSED IN NEGRO'S DEATH

Face Grand Jury on Murder Charge

MEMPHIS, Feb. 2 (ANP)—Police officials here, headed by Commissioner Davis and Chief of Police Lee, acted quickly last week when their investigation disclosed that two young policemen, while allegedly drunk had shot and killed an innocent colored man whom they attacked while he was in the kitchen of his house cooking breakfast.

The two policemen — Elmer P. Broens and R. G. McElroy (both white) — were immediately dismissed, stripped of their badge and guns, and later, following arraignment before City Judge Bateman were ordered held to

the Grand Jury on a charge of murder.

Commissioner Davis and his subordinate officers were incensed over the wanton crime. The commissioner said:

Killing 'Inexcusable'

"It was inexcusable. We have information both patrolmen were under the influence of liquor. This department will not condone unjustifiable slaying. We are just as quick to prosecute our own officers as any individual if they are wrong."

Investigation revealed that Patrolman Broens and McElroy had completed their tour of duty at 8 o'clock Saturday morning in squad car 36, that although off duty, they had gone to the Hadley home "to make an investigation of burglaries committed in their patrol area." Witnesses said they were under the influence of liquor.

Hadley, according to his wife, was cooking breakfast when the police arrived. They forced him to go to the squad car, where neighbors saw the police give him a severe beating. He was then taken back into the house. Mrs. Hadley said she was in a bedroom when they reentered the house, that she didn't see the actual shooting, but heard her husband being beaten in the kitchen. The next thing she heard were the shots.

Neighbors Eye Witnesses

Two neighbors of the Hadleys — Mrs. Lucy Flood and her son John — told police they saw the shooting from a window of their home. They said five or six shots were fired, that Hadley fell as he crossed the yard fleeing from the patrolmen's gun fire. Hadley fell again, got up and ran, finally collapsed across a barbed wire fence in the yard.

Isaac Stevenson, another neighbor, told police that Broens came into his house, ordered every one out, including his father, who wasn't given time to dress, and his two children, ill with chicken pox. Stevenson told police Broens lined them up in the cold yard, then yelled "If you move I'll blow your heads off." Meanwhile an ambulance had been called and Hadley's body removed. A sergeant later ordered Patrolmen Broens and McElroy to headquarters, after a call had been made, informing officials of the slaying.

They Said He Offered To Testify For Pay

CHATTANOOGA, Tenn., Apr. 27—(Special)—Rev. J. C. Bason was released Tuesday by Judge C. W. Lush of the Circuit Court, when the State failed to present proof of a charge brought against him of compounding a felony.

It was claimed the minister offered to testify for pay, as a witness for the 17-year-old son of Charles Wyatt who is charged with the murder of Robert Hood, a former friend. It was further charged Rev. Bason had offered to produce a knife taken from the clothing of the slain youth if Wyatt would make additional payment.

The minister was held in jail pending a preliminary hearing Tuesday. When the case was called, however, no State witnesses appeared to offer testimony or other proof of the charges, and when the prosecution failed to give a satisfactory explanation of their absence, Judge Lusk dismissed all accusations against Rev. Bason and ordered his release.

Chattanooga, Tenn., Daily Times, November 19, 1939

NEGRO FLEES TO OHIO; IS SOUGHT FOR STABBING

Homicide Detective E. E. Smith said last night that Willie Cameron, colored, of East Third street, who is accused of fatally stabbing another Negro at the College inn late Friday night, had fled to Ohio and was being sought by police officials in the east.

Cameron was said by the detective to have stabbed and killed Milton Daniels, about 30, in the East Ninth street night club. The slaying was the thirty-third Negro homicide in the city this year.

A Juror Speaks

WITHOUT TAKING SIDE IN THE controversy that has developed over a Knox criminal court jury freeing two white defendants charged with killing a very popular police officer, the situation brought forth a statement from Juror John A. Clancy, who sat on the case, that contains among other very interesting and significant sentences, one that is deserving of most serious consideration by people everywhere.

In defending his action in voting acquittal for the young white woman and her co-defendant, Mr. Clancy outlines in the concluding paragraph of his statement:

"A verdict, in my opinion, rendered in line with popular demand rather than by the evidence and the law is legal lynch law."

Unfortunately for many sections of our land, too many verdicts have been returned by juries who acted under the sound of the riotous voices of mobs, or with popular demand for acquittal or punishment ringing in their ears, all of which prove of ~~undue influence upon~~ them in arriving at decisions. Many defenseless, cringing, innocent Negroes have been hurried away from court rooms to the electric chair, verily lynched legally, as the popular demand was that the death penalty be imposed.

The untimely death of the popular young Knoxville policeman is to be regretted by all law abiding citizens. He was a very fine officer and an excellent citizen. The right or the wrong of circumstances surrounding his killing are not up for discussion here, but if the verdict of the jury that sat on the long drawn out trial in our criminal court is based on the fair and fearless attitude as expressed by Juror Clancy, when he declares that the popular clamor did not influence their decision, such offers sufficient indication that our jury system is taking a step forward in properly administering justice.

—From The East Tennessee News (Knoxville)

THE PRESS AND CRIME

Several months ago the Federal Bureau of Investigation supplied data which showed Nashville to be the "murder capital" of the United States. The good story dealing with that matter was buried on the inside pages of the daily press. It is our recollection also, that the daily press was "unanimous" in passing up Nashville's murder record as one unworthy of editorial comment.

It was the Nashville Globe, exclusively among Nashville papers, which gave first center space to our awful murder record and which editorially approved a state put by a leading law enforcement officer of Nashville, who stated that little or nothing could be done about our city's persistence in leading the nation in murders unless a police officer could be placed in every home.

This paper expressed the belief that the indifference of both the press and of law enforcement officers toward the crime record of Nashville was due to the fact that murders for the most part have been committed by Negroes who have regularly shot down and cut up members of their own race.

We have taken sharp issue with those who have theorized that it was nothing against the fair name of Nashville if murdering was largely confined to the colored population of this city. We have been able to point to the fact that the Federal Bureau of Investigation gives no "differential" of any sort to any city because crime in that city is largely committed by any particular racial group. We have held that it has been as much to the shame of Nashville that wholesale murdering is done by Negroes as it would be if the killers and the killed were white.

It is with a feeling of grief equally as sincere as that we have had for the murder record of Nashville's Negroes that we note an increase in murders committed by members of the white race. We are not certain but that recreancy upon the part of officials and the press in the duty of bearing down on the murder situation here, when it was (and is) principally confined to the Negro race, has contributed to the increase of murders among white people. Crime breeds crime. Disrespect for law and order, when allowed to thrive, breeds disrespect for law.

We have no right to feel that the frequency of murders among Negroes and the ease with which they get away with it, both from the little publicity newspapers give to a "Negro murder" and the "ho-hum" attitude law enforcement officers and courts take toward such murders, do not impress white persons that they too can get away with killing a fellow human being without any serious inconvenience.

Nashville, because of its world-wide reputation as a religious and educational center, seriously reflects upon the character of its religious and educational output when it advertises to the world it is the city where it is easier to kill human beings and get away with it than anywhere else in the United States. Nashville's press undoubtedly can reduce Nashville's murdered record any time it decides to accept leadership in molding public sentiment in support of a war on crime.

A subscriber to one paper observes that no war on real crime has been waged in this city. In writing to one of the newspapers he says:

"We have seen periodical drives on the bootleggers, number racketeers and petty traffic violations. Why not have a drive on some of the major crimes that remain unsolved and get action?"

We all know that our law enforcement officers read the newspapers and we suspect they get busy in ferreting out the crimes which the public appears to be demanding action upon. The public's will in the opinion of officers of the law and everybody else, is what is emphasized in our newspapers. But Nashville's public was losing all hope of seeing the press of this city win a Pulitzer prize because it was majoring in running down numbers boys and pin-ball machine players to the neglect of what it takes to rid this city of the stigma of being the "murder capital of the United States." The belated decision to put first things first is welcomed and applauded by every realist in the "Athens of the South."

Arrest Comes 19 Days After Killing Of Blacksmith, Liquor Store Holdup

TAKEN WITHOUT TROUBLE

'Trigger Slim' Fails To Make Good His Resistance Boast

COMMERCIAL APPEAL ACCOMPLICE ALSO HELD

Officers Say Pal Participated In Four Of Six Robberies—

Old Records Play Part In Solving Case

By THOMAS C. FULLER

"Trigger Slim," the negro who killed Ray Payne, blacksmith, in a liquor store holdup, quietly surrounded and arrested yesterday as he sat with a pistol in his lap at the Beale Avenue Palace.

He had boasted he would never be taken alive but he surrendered without a struggle and in less than an hour had confessed to shooting the burly blacksmith Oct. 30 and to six other robberies.

Accomplice Named

The negro's name is Johnny Goodin, his alias is "Trigger Slim," and his accomplice in four of the six robberies was Willie Johnson. Goodin is 20 and his partner, who was not involved in the Payne slaying, is 19.

His arrest climaxed a 19-day manhunt which, after the first few days, was concentrated on Memphis' negro sections because officers knew the slayer's identity. He finally was spotted yesterday shortly after entering the negro theater. Officers watched him four hours from the rear of the house, waiting for him to walk out.

Suspecting that Goodin knew of their presence and fearing he would make a run for it, Lieut. Bill Rainey and Lieut. A. O. (Bimbo) Clark quietly "covered" him as he watched the movie for the second time. At Police Headquarters "Trigger" immediately confessed all.

Made Customers Drink

On the night of Oct. 30, he confessed, he entered Bob's Liquor Store at 1286 Florida, robbed the cash register of \$45 and the clerk of \$18. He made two negro customers and a white patron drink a half pint of liquor (straight and in one gulp) and left the store.

On the street, however, Mr.

Payne and Bob Cartwell, who had been out for a cup of coffee, met "Trigger." Mr. Payne rushed for him, was struck on the head with the pistol and shot in the stomach. He died the next day at St. Joseph's Hospital. He was a 50-year-old blacksmith and lived at 1301 Florida.

Headquarters immediately put six men on the job. They were, in addition to Lieutenants Clark and Rainey, Detectives Reeves, Jones, Wilson and England. Mr. Jones and Reeves were not in on the arrest because they have been on night duty. Mr. Wilson and England guarded the rear of the theater while the lieutenants made the arrest.

Davis Praises Officers

Sitting in on the confession were Commissioner Cliff Davis, Inspector Clegg Richards, head of detectives; Chief of Police Will Lee and a reporter for The Commercial Appeal.

The commissioner said "Trigger" remarked he would have "had it over with" if he had known the officers were waiting. "He was taken with excellent precision and the officers deserve the highest credit. I cannot too strongly remind the public of the constant danger in which our officers find themselves. This was a good piece of work," he said.

Chief Lee and Commissioner Davis attributed the quick identification of the negro in part to the Department's Record Bureau. In 1935, "Trigger" applied for a pushcart license. At the time he was "mugged" and listed. Descriptions from witnesses were all that was needed for the identification, said Commissioner Davis.

Robberies Are Listed

Other holdups by "Trigger" netted him only small amounts of cash. Johnston was arrested several days ago. He said he helped "Trigger" in the following robberies:

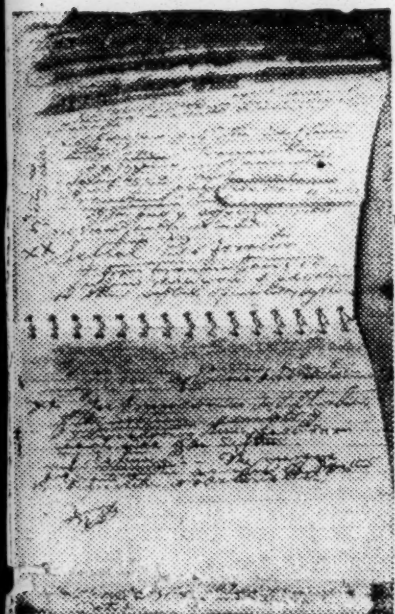
J. T. Duncan, trolley operator, at Pennsylvania and Riverside, on Sept. 23; Sol Shankman Grocery, 138 West Trigg, Oct. 2; Frank Louie Grocery, 756 Williams, Oct. 24; Georgia Street Liquor Store, 521 East Georgia, Oct. 24, and C. A. Thompson Grocery, 526 Alston, Oct. 28.

On the night of the fatal shooting of Mr. Payne, "Trigger" attempted to rob the Rutsky Liquor Store at 253 West Virginia. He was frightened by passersby, however, and on leaving fired a shot at a passing truck driver. That was at 9 o'clock. The Bob's Liquor

Chief Figures In Meharry Tragedy

Atlanta World - Atlanta, Ga.

1-31-39



Arrow in top photo points to Eric Williamson's seat in the examination auditorium of Meharry Medical College, Nashville, which was the scene last Friday of a murder-suicide. At bottom left is pictured a page from Williamson's notebook that precipitated the tragedy. Pictured in center is Dr. W. E. A. Forde, veteran Meharry professor who was killed by Williamson, who later took his own life. Williamson is pictured at bottom right. —(Photos courtesy Nashville Tennessean.)

Two Bullet Wounds Found In Victim

White Attorney Released On Writ of Habeas Corpus

DALLAS, Texas—(ANP)— An overcoat, of all things, was the alleged cause of a killing last Saturday in a downtown office building with the temperature sizzling at 100 degrees. Harvey Lindsay, white attorney with offices in the Fidelity building, walked into the sheriff's office and handed a deputy a pistol, telling him that he had just shot a Negro. Lindsay further stated that he killed William Harrison, 21, when the latter threatened him following his refusal to return an over coat that Harrison had left as security for attorney's fee.

When investigators from the sheriff's office arrived at the lawyer's office they found Harrison dead from two bullet wounds in the body and one in the head. The slayer was promptly released on a bond said to be \$2,500 upon a writ of habeas corpus granted by District Judge Henry King.

STRANGE CASE

The killing, it seems, is a strange and ghastly sequel to one of the strangest cases ever to come to the attention of the courts and the

sections of the fashionable Highland Park section.

The owner of the home, a woman prominent in educational and civic life of Dallas, stated that the Negro was being held in order to force a confession as to the disposal of a valuable pedge ring, which he was suspected of stealing. The young Negro was released by officers who discovered his plight and has since disappeared from the city.

The slain man, Harrison, was the chauffeur for the family at that time and was arrested in connection with the kidnaping and imprisonment. It is thought that at that time the overcoat transaction, that resulted in Saturday's killing, was consummated.

Dallas public. Nationwide publicity was given a few months ago to the story of a young Negro man who was found bound and gagged in the attic of a prominent Dallas family in one of the exclusive residential

Texas Terror In Black And White

By J. W. HAYWOOD, Jr.

His Negro mistress was a cushioning comfort to Dr. Cammon, but he did not wish to have the nice, nasty truth known all over the town. The 2,500 residents of Italy, Texas, were particularly fond of the filth and stench of gossip in the dreary absence of saner, more varied occupations. Reddening with the flash of private guilt made public, he turned demanding ears again to his informant.

"Yes sah, Dr. Cammon", a loose-eyed, loose-lipped colored girl of mid-teens was speaking excitedly. "I done heard him mahself talking 'bout you and Sally Lee Howard jes tellin' ev'ybody that she yo' woman and that she stay in yo' room all night when your wife's away and that you sleep with her mos' any time". Jane was enlarging her account to feed the mounting anger of the white physician. She's show Howard Russell he couldn't make of her a laughing stock for his other girl friends and get away with it.

"He say hain't 'fraid of you and no other white man," she capped her report with a never failing challenge to which the doctor's flaming eyes flung acceptance.

MINDING OTHER'S BUSINESS

In a day or two Dr. Cammon had set a trap. Using Jane as a decoy, he lured Howard, who worked at odd jobs on the doctor's property, into the barn where he had gathered a half dozen of his brawniest cronies. They agreed that a mouthy young Negro should be taught not to mind white men's business — taught with rawhide and pine board.

Two sharp childish eyes had seen the men enter the barn, had seen Howard go in later, had sensed trouble. Bravely he tip-toed, within ear-shot of the barn. His keen hearing confirmed what an alert mind had suspected. Darting under the yard fence, faster than his six-year-old legs had ever before carried him, he raised a lengthening cloud of dust toward the cottage of Howard's guardian uncle.

"Uncle Billy, Uncle Billy," shouted the little Paul Revere in alarming treble, nearing the cottage, "Uncle Billy, they got Howie in Dr. Cammon's barn and they beatin' him with straps and boards. They's about ten white men and they gonna hurt him, if . . ."

Uncle Billy was already on the way towards Cammon's place. Fearlessly striding into the barn Billy Hale accosted the physician directly.

"I hear somethin' wrong 'tween you and Howard, Dr. Cammon," he spoke without heat, hurry or humility.

Uncle Billy, noticing that the boy was not yet injured, adroitly stepped between him and the would-be punisher, remarking in a ominous evenness: "I'll teach him any lesson he needs to learn." With that Billy Hale turned to depart, Howard beaming front.

Stupefied by this attempt to white supremacy Dr. Cammon had stood in sizzling suspense. But the sight of the Negroes' withdrawing backs vaporized his anger and turned on the hissing steam of indignation. What the . . . did this mean, anyway? Tellin' him a doctor — a white doctor — where to get off! With maddened might he brought the board, intended at first for Howard, down upon Billy Hale's head. Had show all "uppity" . . . The board was raised and again descending. Drawing his long "frog-sticker" pocket knife, opening it with his teeth, Uncle Billy ducked under the blow, seized the white man by his collar, and with swift, sickening sweeps slashed him into a sunken heap of bloody flesh.

Seeing his hero fall, Dob Collins in a fit of courage started to block the way of the Negroes, yelling all the while: "Billy's done cut down Doc Cammon, Billy's done cut down Doc Cammon." When Billy wheeled with opened blade, Dob Collins, the gate hastily forgotten, topped the seven-foot fence like a cat pursued by the

Dixie Jury Does Unusual... Acquits Negro Who Killed Town's Leading Physician

greyhounds of Hades.

To the sheriff's office Nale directly headed, surrendering.

Restless Crowd Gathers

"I'm afraid I can't answer for your safety, Billy", the defender of the law declared. In alarm he had observed the restless crowd that seemed to pop magically from the earth.

"You give me a gun," said Nale in that slow fearless way of his, "I'll take care of myself. I ain't scared. Dam 'em all."

"Lynchin's the only way to handle a . . ."

"Swing him up with a rope."

"Are we going to let a dirty . . . get away with cuttin' up a white man?"

"Let's make the sheriff give him to us or bus' open the jail house."

"I'm gonna be the one to cut the black . . . with his own . . . knife!"

These and similar sulphuric threats were screamed and yelled by the milling mob that swelled to murderous proportions as the shadows spread out their skirts across the town. News of the event, with heightening alterations, had flown about the countryside. Men and boys, women and girls, youngsters, babes—all expectantly assembled. What a primitive throng they composed! Sparse hairlike sun-scorched corn tassel, steely eyes now insanely ablaze with rage, hard hollow-faces, scrawny rusty necks; stringy-haired women urging on their savage mates to the kill: children straining eagerly eye and limb for their first lesson in southern artistry at butchering black folk.

SHERIFF GETS AID

Billy Nale watched the human pack from his cell window. If the sheriff would only give him a gun. . . .

Suddenly two horsemen appeared, slicing through the crowd.

"Sheriff, you know us"—indeed he knew them well: the Hawkins brothers, "if you'll deputize us, we'll see that nobody harms Billy."

Billy knew them, too, men of fair minds and of hearts unafraid. The third brother, just now arriving, had beaten with his fists the same Doctor Cammon a few weeks previously. All three being sworn in, one of them advanced, silenced the lustful horde and spoke clearly: "Folks, we been deputized by the officer of the law . . ."

to protect Billy from all harm.

He paused and repeated. Then drawing an imaginary line, he concluded solemnly: "If any man steps beyond this line, we'll shoot him in his tracks." Who doubted such deadly seriousness?

They Did Not Pass

Women shrieked curses and children took up the cry. Men who usually rose to heroic stature on such barbarous occasions barked and shook thorny fists and bellowed to the others what ought to be done but not a person crossed the deadline. The Hawkins were straight-talkers — and straight shooters. One by one the mob members, muttering stole away.

Justice In Proud Dixie

"And in conclusion, your Honor, I would remind the jury that my client, Billy Nale, is no criminal. Witness after witness representing the best people of Ellis County, colored and white, has testified to the upright character of this man. He owns property, has a bank account, is a church worker, has reared his sister's children to be respectable citizens. If you sentence Billy Nale, you will make a life of decency impossible for every Negro; on the contrary, any white bully like Arthur J. Cammon will be legally allowed to assault at will any person, white or black."

The trial had been delayed for several days until Dr. Cammon's recovery became assured. The Hawkins family had used its strong influence to have, as fair a jury selected as was possible. Nale's counsel was the best lawyer in central and east Texas. But this was Dixie, proud of its rotten racial traditions, ready to preserve them with lunatic frenzy and black men's murder—by legal means or in spite of law. Should not any black man be severely punished for daring to wound any white man under any circumstances? Twelve men would decide.

"NOT GUILTY"

Gentlemen of the jury, have you reached a verdict?" intoned the judge.

"Yes, your Honor," the foreman responded. Resolutely clearing his throat and licking dry lips, he continued: "We, the jury . . ."

Stale faces were craned forward on spindly necks. Had not many of these same faces appeared in the mob that churned in angry

unrest for Billy's life?

" . . . find the defendant . . ."

The Hawkins men listened with no show of emotion except a slight tightening about the eyes.

Billy Nale stood facing the droning jurymen. Quickly all the possibilities of the situation flashed upon his mind: the chaingang, the snarling mob again, a perilous freedom. But he knew not how to quail.

The foreman was clearing his throat defiantly for the finish: "not guilty!"

KILLINGS- 1939

VIRGINIA

Given 40 Year Prison Term For Murder of Colored Girl



WADDY HALL, Rocky Mount, Va. white man, was sentenced to 40 years in prison for the murder of a young colored girl, Miss Lena Finney, several months ago. The court denied a motion to have the verdict of the jury, which deliberated a little more than one hour, set aside.

Murdered



MISS LENA FINNEY, young Rocky Mount, Va. girl, whose dead body was found several months ago on a railroad track near the Franklin County town. Waddy Hall, white, was convicted of her murder this week. One of the most sensational trials that county has ever seen. He was sentenced to 40 years in prison. The trial revealed an illicit love affair between the two.

**Given 40
Years In
Prison**

**Rocky Mount, Va.
Jury Out Just
Over An Hour**

By WILLMER F. DILLARD

ROCKY MOUNT, Va.—In one of the most sensational interracial murder trials in the history of Franklin County, Waddy Hall, 33-year-old white man of near Rocky Mount, was convicted of first degree murder and sentenced to 40 years in the Penitentiary for the murder last July

11, of Miss Lena Finney who was seriously wounded on the Norfolk and Western railway tracks one mile north of here. She died seven days later in the Burrell Memorial Hospital, Roanoke, Va., after accusing Waddy Hall in a death-bed confession.

The trial began Thursday, September 28, and lasted three days. It was filled with sensational disclosures of illicit interracial love in the Grassy Hill section of Franklin County. Colored and white eat, sleep, work, play and love together. In this section, too bootleg liquor flows like water.

ASKED DEATH PENALTY

The trial started with Commonwealth Attorney C. Carter Lee asking the death penalty for Hall. Dr. Baynard Law of the Burrell Memorial Hospital told of the condition of the woman when he first attended her and presented her death-bed statement, which was entered in the court records over the objections of Lawyers H. D. Dillard and P. H. Dillard of the defense. Dr. Law was on the stand the entire morning and was called again in the afternoon.

Lawyer Dillard tried to make Dr. Law admit the confession was his idea, rather than the exact words of Miss Finney.

DYING STATEMENT

The statement entered in the records was this in substance:

"Miss Finney, Hall, Mr. and Mrs. Hodges were together on the night of July 11 at the home of Mr. and Mrs. Tom Bennet. After a round of drinks the group played cards and Tom Bennet played cards. Soon after Miss Finney and Hall had some words and then Miss Finney left with Hall following. In the meantime the Hodges woman and Miss Finney had some words in which the Hodges woman said that dam n----- is acting cute; let's break her neck. Hall then said that 'She (Lena Finney) has been acting funny for a long time and I think I will put an end to it tonight. If you quit me you won't be any good to anyone else.' Afterwards Hall began to beat her over the head and body and she did not remember any more until

she talked with Commonwealth's Attorney Lee, who was summoned after she was found on the railroad dying."

OTHER WITNESSES

Others following Dr. Law on the stand were: Dr. J. H. Roberts, president of Burrell Memorial Hospital; Miss Roberta Smith, head nurse of the hospital, who was forced to read the sick chart of the deceased patient by Lawyer Dillard; and Dr. G. A. Boose, white, coroner of Franklin County.

Later in the afternoon the jury and the prisoner went to the spot on the railroad where Miss Finney's body was found and there the commonwealth's attorney's and defense lawyers demonstrated their various points. With their return court was adjourned for the day.

HIGHLIGHTS OF THE DAY

The jury went out more than ten times during the first day with the defense lawyers and commonwealth's lawyers battling every turn. Frequently both were on the floor at the same time asking the Judge to overrule some point in the procedure.

SECOND DAY OF TRIAL

At the beginning of the second day the commonwealth put Ed Shropshire and G. E. Hudson, both white, of Roanoke, engineer and fireman, respectively, of the freight train which passed the spot shortly before Miss Finney's body was found unconscious on the railroad tracks. Both testified that they saw no one on the tracks. Both testified that they saw no one on the tracks when the train passed through here the night of July 11.

Other commonwealth's witnesses for the session were Hobart Muse, Mrs. Queen Mangum, sister of the dead girl, J. R. Mangum (white), the dead girl's mother, Mrs. Lucy Finney and Earl Edwards, a 17-year-old boy who testified on the witness stand that on the day of the murder Hall gave him ten (10) cents to go and get a blanket from Miss Finney. The boy also said that Hall sent word to Miss Finney to meet him at the usual place that night.

STATE RESTS CASE

The state rested its chief case near noon Friday. In a written agreement the state was allowed to put two more witnesses on the stand Saturday because it was impossible to get them to Rocky Mount earlier.

At the Friday afternoon session defense witnesses began taking the stand. The first witness was Andrew Gray, who was followed by Lawyer Perdue, son of the wealthy Perdues that Miss Finney worked for. He told how he and his mother motored to Burrell Memorial Hospital to see Miss Finney, of her reaction on seeing his mother, and what she said

to his mother. Lawyer Perdue said that Miss Finney at that time told his mother she had been hit by an automobile, that Hall had nothing to do with it, and she hoped to be able to return to work soon.

Lawyer Perdue further stated that Miss Finney was a very good servant and his mother was very devoted to her and considered her as a friend.

Next on the stand was Troy Hodges (white), who is jointly accused with Hall of the murder. He testified that he saw Hall and Miss Finney together the last time on the night of July 11 and they both seemed to have been on friendly terms.

OTHER DEFENSE WITNESSES

He then went home with his wife, Mrs. Mattie Lee Greer Hodges who is also charged in connection with the killing, and did not see the victim again. Hodges, under cross-examination, said that later he heard the woman scream for aid. Hall, Hodges, and Mrs. Greer are charged with beating the victim, throwing her against a moving freight train, and then leaving her unconscious on the railroad tracks to die.

Percy Hickman, white, the next defense witness, said Hall stayed at his mother's home that night, but on cross-examination admitted that he had been to the insane asylum and had been convicted for grand larceny in Henry County.

The next was Mrs. Hodges, who told practically the same story as her husband. She admitted on cross-examination that they sold corn liquor openly and sold some the night of the killing.

Joe Pinkard testified that he saw Miss Finney the night of the murder, happy and singing, and going down toward Toy Dudley. The defense in closing arguments accused Dudley of killing Miss Finney by running over her with his car.

ADMITS LOVE AFFAIR

On cross-examination Pinkard admitted that he had been caught in bed, nude, with Waddy Hall's sister, Miss Lilly Hall, who was also nude, by Franklin County officers and both confined to jail.

The commonwealth said that Pinkard, who is colored, was still the sweetheart of Miss Hall and is considered a member of the family.

The next witness was Miss Geraldine Hall, followed by Miss Lilly Hall, who said they knew their brother stayed at home the night of the murder. On cross-examination Lilly Hall admitted that she had been sent to the state farm for going with a colored man and that she lived in "but from the evidence we know it Ohio with a colored family and was involved in a case that sent a colored man to jail for 18 months on white slavery charge."

HAS TWO CHILDREN

She also admitted that she had two children that look like colored children. It was reported that her children are not allowed to go to school with white children and have been sent home.

Moses Hall, father of Waddy Hall, told how he knew his son was at home the night of the murder. Under cross-examination he admitted that he had served some time in the Virginia state prison. He said point blank that he was not the father of Lilly Hall, but another man was. He was the father of the rest of the children and was "telling the truth."

Mrs. Ethel Hall, the mother, also testified that her son was at home the night of the murder because she gave him a drink of water and woke him up the next morning.

Cross-examination by both state and defense were merciless and brought out some of the most sordid stories ever to come out the mountains. Court adjourned about 6:00 p. m., Friday.

SATURDAY HIGHLIGHTS

Court convened at 8:40 a. m. Saturday and the first witness was a train conductor, W. H. Howard, of the freight train that passed along the railroad the night Miss Finney was beat up. Mr. Howard said he did not see anything on the tracks that night nor did he hear anything.

HALL'S TESTIMONY

The next to take the stand was the accused man, Waddy Hall, who testified that he was 33 years old, had been going with Miss Finney for seven (7) years, had never beaten her, and had been intimate with her a number of times. He stated that he was with Miss Finney, Friday, Saturday, and Sunday before she died.

He also said that while he was resting on a cot in Tom Bennett's home in the Grassy Hill section, Miss Finney asked him to take her home and he refused, and then Miss Finney said she would "do something tonight that you will regret the rest of your life."

He said he left Tom Bennett's home before Miss Finney left and went home and stayed until the next morning when his mother told him "the law" wanted to see him. He then sent his mother in town to find out why "the law" wanted him.

The law picked him up at Toy Hodges.

He claimed that he spent the night in the smoke house on his mother's farm but did not see the sheriff when he came. Shortly afterwards the defense rested and the judge instructed the jury.

CLOSING ARGUMENTS

Closing Arguments began at noon Saturday, with Lawyer B. Andrew Davis, of the commonwealth, speaking first. Lawyer Davis asked that Hall be sent to the electric chair for the murder of the colored girl whose love for him shielded him until she knew that she would die.

Lawyer Davis further stated that it seems impossible that such sordid conditions could exist in such close proximity to the very courthouse, colored man and that she lived in "but from the evidence we know it is true."

He was followed by Lawyer Dillard, who gave his reasons why he thought the state had not proved its case and he believed the defendant not guilty.

WITNESSES RIDICULED

The next defense lawyer, Peter Dillard, uncle of Lawyer Dalton Dillard, talked 30 of his 45 minutes. He poked fun at the defense witnesses talk and "airs." He accused Troy Dudley (colored) of the murder of Miss Finney and said Dudley was saving himself at the expense of Waddy Hall.

Lawyer P. Dillard also attacked the county sheriff and commonwealth's attorney, "who went to Roanoke to force a deathbed statement from poor

Lena Finney, who was dying and did not know what she was saying."

The closing argument was made by Commonwealth's Attorney Lee, who said that from Mr. Dillard's speech it seemed that Dr. Law and all those from Roanoke were on trial rather than Waddy Hall. He lauded Dr. Law highly and said that he made the best witness appearing on the stand during the trial.

CLOSING ARGUMENT

Mr. Lee lambasted Hall and his family, and said the electric chair honored Hall because he made himself lower than the gutter in killing the colored girl who loved him even until death.

After a little more than an hour of consultation, the jury returned a verdict of guilty and recommended 40 years in the penitentiary. He was sentenced by Judge A. H. Hopkins. A defense motion to set aside the verdict as contrary to the law and evidence was overruled by Judge Hopkins.

SOME SIDELIGHTS

Rocky Mount is a little mountain town situated 26 miles south of Roanoke, Va., on the main highway between Roanoke and Winston-Salem, N. C.

Both sides had number-one lawyers and both sides fought bitterly against each other.

Both defense and state lawyers seemed to have known Miss Finney well.

The trial lasted three days with the courtroom and corridors crowded with spectators.

When Lilly Hall took the stand for the defense the court was cleared of all white women. Three colored were allowed to stay and they were relatives of Mrs. Finney.

Most people living in the heart of the town admit to knowing very little of the Grassy Hill section, but knew Miss Finney well.

COULD HEAR PIN DROP

The sister of one of the defense lawyers offered Miss Finney's sister a job with her any time she came back to Rocky Mount to live, while this reporter was in their midst. This lady said she hoped that no one would think that all Rocky Mount people are like those on trial.

When Pinkard was accused by the commonwealth of going with Waddy Hall's sister, Lilly, you could have heard a pin drop in the courtroom. Pinkard admitted on the stand that Attorney Lee was telling the truth.

The people of Rocky Mount made no demonstration before or after the trial and, on the whole, seemed to have had that real southern hospitality.

White and colored get along fine in this little town and both races seemed to regret deeply the obnoxious happenings climaxed on July 11.

Judge Hopkins at no time allowed the race issue to mar the trial.

Danville, Va., Bee
April 14, 1939

Negro Society Will Finance Bradshaw Case

Society Advancement Colored People to Appeal for Condemned Slayer

Willie Bradshaw, negro, convicted recently in Halifax county of the murder of Deputy Sheriff Herbert Boelte, and sentenced to electrocution, is applying for a writ of error and supersedeas on his conviction. The Bee learned today.

The National Society for the Advancement of Colored People has become interested in the case and the expenses of the appeal will be financed by the Halifax county chapter of the organization.

Martin A. Martin, negro lawyer of Danville, has been assigned to the case and he confirmed the appeal this morning, stating that the record of the case, including the transcript of evidence, is being prepared. The defense has three weeks in which to prepare the formalities of an appeal. Application for a writ of error usually comes before one member of the Court of Appeals. If that jurist finds that there is evidence of error in the trial, the writ is granted and the case then comes up before the appellate group on its merits.

Martin stated that other negro lawyers of Virginia, identified with the Virginia Conference of the Society for the Advancement of Colored People would be associated with him if the writ of error is granted. He said that considerable interest has been aroused by the case.

Asked for the basis of the appeal, Martin said that the contention would be made that some of the instructions were in error, that a conviction of first degree murder was not justified, that the further contention would be made that there was no premeditation and that considerable reliance would be had on the state's admission that Deputy Sheriff Boelte and John Hatcher entered the cabin where Boelte was killed without being in possession of a search warrant nor a warrant for Bradshaw's arrest.

Since the trial was concluded it has been learned on good authority that when the jury retired eleven were immediately in favor of the maximum penalty. One juror held out for an hour contending that consideration should be given to the fact that the officers were not armed with warrants.

James S. Easley, leading counsel for the accused negro, appointed by Judge Turnbull to defend him, decided not to appeal, it is said, because of the unexpected testimony of a little negro boy who told the jury when put on the stand by the state that when the officers first came to the house Bradshaw took his gun from behind a door and mounted the steps to the attic room from which the fatal shot was fired. Up until that time, the defense had contended there was no premeditation but that while it would have to be admitted that excessive force was employed by Bradshaw in defending his rights that a first degree murder verdict could not be sustained.

Danville, Va., Register
April 15, 1939

BRADSHAW CASE BEING APPEALED

Negro Society Will Finance Appeal of Conviction to State Supreme Court

A writ of error and supersedeas will be asked of the Virginia Supreme Court of Appeals in the case of Willie Bradshaw, negro, recently convicted in Halifax Circuit Court and sentenced to be electrocuted for the slaying of Deputy Sheriff H. L. Boelte, near Scottsburg last December.

The National Society for the Advancement of Colored People has taken up the case, and is having the record prepared in preparation for application for the writ. The procedure is to be financed by the Halifax chapter of the organization.

Martin A. Martin, negro lawyer of Danville, has been assigned to the case.

Application for the writ will be considered by one of the justices of the court, and if error on the part of the trial court is found, he can grant the writ, in which case the whole proceeding would come before the higher court on its merits.

ceeding would come before the higher court on its merits.

Martin said other negro lawyers connected with the Virginia Conference of the Society for the Advancement of Colored People would be associated with him in the appeal should the error writ be granted.

The appeal will be based on the contention that some of the instructions given to the jury at the trial were erroneous, that a conviction of first degree murder was not justified, that no premeditation was proved.

Much reliance will be placed on the fact that Boelte and Deputy Sheriff John Hatcher entered the cabin where Bradshaw was staying, and where Boelte was killed without a warrant to search the place or a warrant for the negro's arrest.

Bradshaw was tried before Judge N. H. Turnbull, Jr., and was defended by James S. Easley and Don P. Bagwell, appointed by the court.

Danville, Va., Register
April 15, 1939

DANGEROUS AUSPICES

The determination of the Society for the Advancement of Colored people to press further the case of Willie Bradshaw raises an important question, the significance of which will not be lost on those who have followed the judicial sequence of his fate.

The Virginia Supreme Court unquestionably is uninterested in the sponsorship of the appeal. It concerns itself only with the yardstick of the law and the bill of rights and, in the event of an application for a writ of error, would be blind to anything but the factual record.

The danger of the intervention of this society is that the Willie Bradshaw case is likely to become a racial cause rather than a close examination of the application of the law itself. Bradshaw, now in the penitentiary awaiting expiation of his crime, is too ignorant to understand the surging elements which may beat about him, though he doubtless clings, like all men do, to the straw in the gloomy contemplation of his rendezvous with eternity.

It is proper that every door should be kept open for a final determination on its merits as to whether the law of Virginia has been applied justly, though sternly, and that the condemned man should have every opportunity of a final review by the competence of the Virginia Supreme Court. But a grave mistake will be made if Willie Bradshaw is to be-

come the vehicle of a social issue in which the elements of the murder case might be eclipsed by an agency which has a broader objective than saving the life of the Halifax County negro. An appeal in any other hands would serve him better.

Bradshaw was defended by two able counsel appointed by the court. Those lawyers worked possibly harder for him and applied their whole resources more energetically than if they had been paid handsomely by a lucrative client.

Their course in failing to prosecute the case further must be ascribed not to anything savoring of abandonment of a cause but to the simple language of a little negro boy who blasted the last hope of the defense that the state would be unable to prove that Bradshaw killed the deputy sheriff with premeditated malice in his heart.

The post-trial activities of the Bradshaw case point once more to the wisdom of a course long since advocated by many Virginia barristers, that the policy seen in many other states should be followed and that no man should be put to death until the Supreme Court of the state shall have reviewed the case as a matter of policy.

Deathbed Statement To Mark Trial

7-29-39
Norfolk, Va.
White Man Held In Brutal Death of Woman

Special to Journal and Guide
ROCKY MOUNT, Va.

Sensational disclosures based upon an alleged death bed statement made by Miss Lena Finney are expected to mark the trial of Waddy Hall, white, who is under indictment on a charge of murder growing out of the young woman's death.

Miss Finney, 26 years of age, died in a Roanoke hospital on July 17 of injuries which the commonwealth charges were inflicted by Hall in one of the most fiendish slayings on record in Virginia courts. She was carried to the hospital several days earlier by a white man who found her lying unconscious on the Norfolk and Western Railway tracks on the outskirts of town.

Hospital attaches said that her whole body was paralyzed as the result of a broken spine. A strikingly beautiful woman, Miss Finney's other injuries included fractures of both legs and several gashes in her arm where the flesh had apparently been torn out.

Hall was indicted by a special grand jury last week as was also Mattie Lee Greer and Toy Hodges, both of whom were accused of aiding and abetting the murder.

Miss Finney, who was employed in the home of a prominent Rocky Mount lawyer, was well known in Roanoke. Investigating officers at first had so much difficulty in getting the victim to make a statement from which they succeeded in getting her a short time before she died. The contents of the statement

were not made public, but it is believed will play a prominent part in Hall's trial. Sentiment in Rocky Mount against Hall who is married and the father of two children, was said to be very high.